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ANTIQUATED AUTHORIZERS

A NATIONWIDE ANALYSIS OF CHARTER SCHOOL AUTHORIZATION POLICIES

MASTER OF PUBLIC POLICY CANDIDATE

FRANK BATTEN SCHOOL OF LEADERSHIP AND PUBLIC POLICY

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Disclaimer

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Honor Statement

On my Honor as a student, I pledge that I have neither given nor received unauthorized aid on this assignment.

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Executive Summary

The America First Policy Institute (AFPI) is interested in publishing policy platforms for school choice that improve the educations of American children and bring the preferences and interests of their parents into the conversation of education options. Currently, many U.S. charter schools serve as a successful alternative for American families, but many others are not. U.S. charter schools are overseen by state authorizers, and **the majority of state authorizers have had trouble closing a poorly performing charter school, indicating flawed quality assurance policies nationwide for charter schools** (U.S. Department of Education, 2004).

In this report, I examine the models of four different states and their specific policies for charter school authorization. First, the state of Mississippi uses a state-managed model, where a board of authorizers appointed by various actors in the state government oversees all applications and quality assurance efforts, with the help of a board staff. Their policy has some checks by local districts on the state board. Second, the state of Ohio uses a decentralized model, where more lenience is given to non-governmental actors, like a non-profit, that seek to open and manage charters. There are little, if any, checks by local districts on these charters or by the state Department of Education that oversees them.

Third, the state of Virginia uses a state managed model as well, where the state Department of Education oversees its existing charters and manages new applications, however it is one of three states in the nation that allows local school districts to veto any new charter application within its district boundaries. Fourth and finally, the state of Indiana uses a hybrid model of both a state authorizing board, along with some alternate actors, like a university, that have the authority to issue charters. There is little, if any, checks from local school districts in this model.

Based on these state models, I developed four policy alternatives based on the four state models and analyzed each to select an ultimate recommendation for AFPI. The four alternatives for state authorization policies examined in this paper include (1) a Stringent State Authorization Board (SSAB), (2) "Wild West" Authorizers (WWA), (3) Local School District Authority (LSDA), and (4) a State Authorization Board and Alternate Designated Authorizers (SAB-ADA). Each of these aligns closely with the respective state they are modeled off of – (1) Mississippi, (2) Ohio, (3) Virginia, and (4) Indiana.

Each of these alternatives is evaluated by their effectiveness in increasing education options (i.e., allows new charters) and improving student performance (i.e.,

correlation with student test scores), their direct costs (calculated using available data), and their political feasibility for a given state. Each alternative received a ranking of low, medium, or high for each criterion, with a corresponding score between 0 and 1 to create a weighted average for the strength of each alternative.

Following this evaluation, **I recommend the fourth alternative, State Authorization Board and Alternate Designated Authorizers (SAB-ADA),** as the best policy for state legislatures to pursue after it earned the highest weighted average for the criteria. This average was based on a medium direct cost of $279,840, a high measure of effectiveness in facilitating more choice, a medium measure of effectiveness in performance of state test scores, a high political feasibility for Republican-leaning states, a medium political feasibility for Independent-leaning states, and a low political feasibility for Democrat-leaning states. This report also includes a comprehensive plan for state implementation, including a timeline for charter application consideration, performance evaluation, and state oversight.

Client Information

America First Policy Institute (AFPI), Center for 1776

AFPI is a non-profit non-partisan research institute that "exists to advance policies that put the American people first." It is located in Washington, D.C., and releases research on federal, state, and local policy issues. The Center for 1776 is one of the twenty-one policy centers housed in AFPI and focuses on promulgating American values in educational institutions. For example, they work on school curricula, educational transparency laws, teacher-parent relations, and school choice research. As a 501(c)(3) organization, AFPI cannot engage in advocacy or implementation. They conduct and publish policy research and their primary objective is to be educational about policies and their tradeoffs. I am specifically conducting this research on behalf of Dr. Laurie Todd-Smith, Ph.D., a policy director for AFPI, who serves as an adviser for the Center for 1776 and Director of the Center for Education Opportunity.

Notably, Dr. Todd-Smith wrote a report in 2021 for AFPI on the benefits of school choice policy. In her paper, she states that poor student outcomes are a problem nationwide. She includes a background section on school choice in the U.S., then cites evidence on the impact of education choice (including the effects of COVID-19). The paper also addresses the critics of the education choice movement that allege that school choice is harmful to public schools. She responds to critics with the point that charter schools enroll 6.5% of public-school students but are still 100% accountable by law for student achievement. The motivation provided by the marketplace to innovate and improve is what makes charter schools unique and impactful.

In relation to specific policies, AFPI is open to solutions state-by-state that range from Education Savings Accounts to magnet schools, and voucher programs to tax-credit scholarships. Their research and policy papers all ultimately aim to empower the individual to choose and to ensure that government programs and policies are not the determinant of one's future, but that their choices and work ethic are. I hope that my project will add to their literature on the topic and ultimately help AFPI produce a formal policy platform on the best method of charter school authorization for states to adopt and adapt to their specific needs.

Introduction

As of April 2023, the school choice movement is gaining steam and taking state legislatures by storm. With some opting for added charter schools, education savings accounts (ESAs), or even universal school choice programs, it is clear the political trend across the United States is moving toward strengthening the parents' voice in their child's education and funding students, not systems.

In this paper, I seek to explore the relationship between the state and charter schools – the public alternative to traditional public schools. Many American students become trapped in failing public schools without the capacity to enroll in another option. For example, in the state of Washington, 2017 data from the Washington State Achievement Index identified 365 "failing public schools," in which up to 50% of students dropped out (Sheerer, 2017).

Another example would be the city of Baltimore, Maryland, where state test scores released in February 2023 revealed that there was *not one single student* in twenty-three city schools that was proficient in math at grade level (Papst, 2023). Meanwhile, as of 2019, the city of Baltimore ranked third in the U.S. for per-pupil spending – meaning the city is one of the highest per capita spenders nationally on K-12 education, yet it contains *several* schools where *not one* student can proficiently do math (Wilen, 2019). These trapped students are often in low-income communities and do not have the means to attend a private school and are stuck in these failing schools where funding appears to make no impact.

One of the primary alternatives to a failing public school is a public charter school. Often, these charter schools are less regulated by the state, but still must be authorized and overseen on a basic level by the state. This paper will examine which state authorization policies facilitate the best experience for their students Specifically, how does the state ensure that these charter schools are providing a quality education to their students?

In this report, I begin by defining the specific problem and essential vocabulary that comprises this issue, and then define the approaches of four states to authorizing charter schools to ensure quality. I examine the methods used by Mississippi, Ohio, Virginia, and Indiana. Based on these four state models, I define four distinct policy alternatives and evaluate them based on effectiveness, cost, and political feasibility, ultimately selecting a recommended policy for states to consider for policy adoption and implementation.

Problem Statement

Too many charter school authorizers are ineffective in creating and enforcing quality standards for school charters across the United States due to obstacles with state authorizer policies. More than half of all U.S. charter school authorizers had trouble closing a poorly performing charter school, indicating flawed quality assurance policies nationwide for charter schools (U.S. Department of Education, 2004).

The U.S. Department of Education calculated this disparity using three academic years of data from the fall of 1999 to the spring of 2002 and found that charter schools are more likely to serve minority and low-income students than traditional public schools. In other words, the matter of education quality for charter schools affects these groups disproportionately (U.S. Department of Education, 2004).

The U.S. Department of Education also found in a 2019 study that "failing schools," meaning those that are "persistently ineffective" in improving student educational outcomes should be closed to benefit students. Closing these failing schools is defined as a "promising strategy" and closure decisions are made weighing "the interests of that school's current (and future) students, the students attending the school or schools that will receive the displaced students, and the quality of the schools that displaced students will attend." In each case, officials must consider that, "for school closure to have a positive effect on its current students, the new school they attend must not only be better, but better by a large enough margin to overcome the negative effect of the transition." (Winters, 2019).

As will be defined in the *Background* section, this issue concerns 7.5% of public-school students, and minority and low-income students at disproportionately higher rates. By analyzing and addressing this problem, AFPI and state governments can ensure that charter schools across the country are providing a quality education to their students and not trapping their children in a failing local system.

Background

Charter School Definition

A **charter school**, colloquially referred to as a "charter," is a type of public school that operates as a school of choice, committed to obtaining specific educational objectives in return for a charter to operate a school. Charter schools are exempt from significant state or local regulations related to operation and management but otherwise adhere to regulations of public schools — for example, charter schools cannot charge tuition or be affiliated with a religious institution (U.S. Department of Education, 2022). A charter is a contract between the operator of a charter school and a charter school authorizer that stipulates rules and objectives in exchange for these exemptions. As of 2022, 3.7 million U.S. school-age children are enrolled in charter schools, or 7.5% of all public-school students (White, 2022).

Charter School Authorizer Definition

A **charter school authorizer** is an authorized public chartering agency responsible for reviewing and approving or rejecting charter applications and monitoring charter school performance (generally considering performance related to both academic and fiscal/organizational metrics as well as compliance with relevant laws). State law determines the types and number of organizations permitted to act as charter school authorizers. For example, one state law may allow public school districts, state educational agencies (SEAs), or independent organizations such as statewide nongovernmental organizations or universities to function as charter authorizers (National Charter Schools Institute, 2022).

Charter School Context

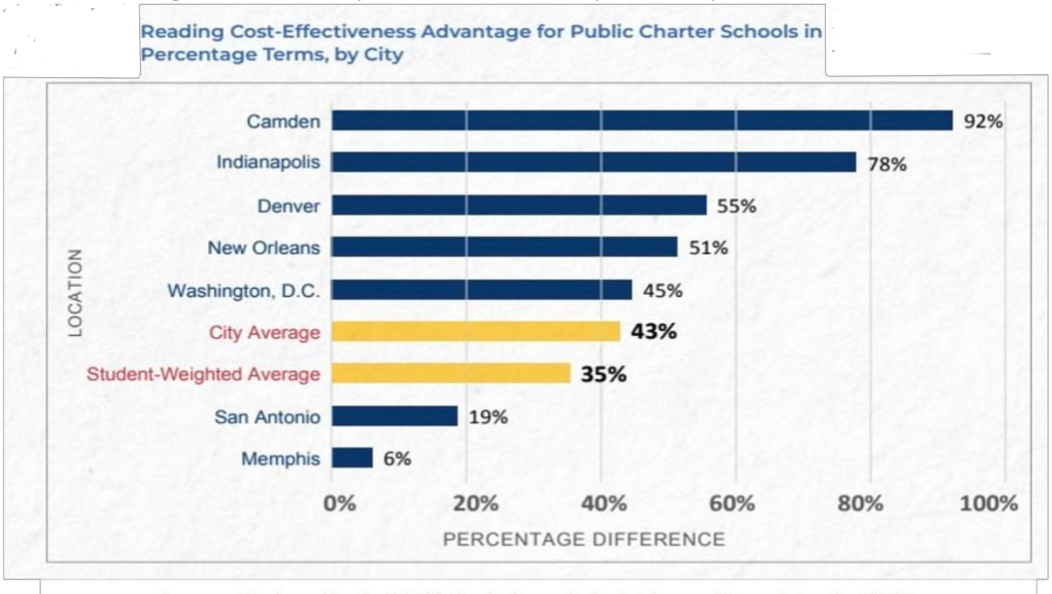
As of 2021, there were over 200,000 teachers working in U.S. charter schools serving more than 3.3 million students. There are approximately 7,500 charter schools operating in 44 states, Washington, D.C., Guam, and Puerto Rico (National Charter Schools Institute, 2021). Between the fall of 2009 and the fall of 2019, public school charter enrollment doubled from 1.6 million students to 3.4 million students. At the same time, public school enrollment dropped by 500,000 (National Center for Education Statistics, 2022).

Each one of these schools plays a vital part in innovating public education to improve opportunities and outcomes for American children. In fact, there is data to support the claim that charter schools are more effective for student learning than

traditional public schools. For example, a 2009 study found that New York City charter schools significantly outperformed public school counterparts, on average (Hoxby, Murarka, & Kang, 2009). A comparable study in 2011 found "large and significant gains for charter schools in middle and high school" for Boston charter schools (Abdulkadiroglu et al., 2011).

More specifically, charter schools improve academic performance, graduation and college attendance rates, and parents' attitude toward their child's education. For academic performance, students in urban charter schools saw increases in math and reading scores as a result of an average increase of 28 additional days of reading instruction and 40 additional days of math instruction (CREDO, 2015). For graduation rates, students who attended Florida and Chicago charter schools were found to be 15 percentage points more likely than public school students in their area to graduate high school. The same study also found they were approximately 9 percentage points more likely to attend college than their public-school counterparts (Booker et al., 2014).

As shown below in **Figure #1**, A study from the University of Arkansas examined charter schools in several U.S. cities to determine whether dollars invested in education in charter schools produced better results for students' reading abilities – a measure of cost effectiveness. They found in four cities that the cost-effectiveness of charter schools advantaged public schools by more than 50%. Overall, this study concluded that charters create stronger achievement gains and are a better public investment (DeAngelis, Wolf, Syftestad, Maloney, & May, 2021).



Source: DeAngelis, C., Wolf, P., Syftestad, C., Maloney, D., & May, J. (2021)

Figure #1

In terms of parent satisfaction, a 2012 Gallup poll found an 18-percentage point increase in the number of parents that rate their child's education as "excellent" or "good" when their child attends a charter school rather than a public school. The poll also found a 12-percentage point decrease in the number of parents that rate their child's education as "poor" when their child attends a charter school rather than a public school (Jones, 2012).

However, it should be noted that there are some studies that do not find a significant difference between charters and traditional public schools. A 2014 study by researchers at the University of Southern Maine found that "the empirical evidence to date leads one to conclude that we do not have definitive knowledge about the impacts of public charter schools on students and existing schools." The study also notes that the results are inconsistent and variable, much like the findings on school quality for traditional public schools (Silvernail & Johnson, 2014).

More broadly, critics of charters argue their existence reduces the amount of funds going to traditional public schools and reduces the accountability of the school to the public (Jason, 2017). The argument regarding the amount of funds is an inconsistent criticism, as funding is highly dependent on the local government's priorities and method of funding for education. The second argument regarding accountability is flawed, as traditional public schools are not typically held accountable by the actual public, but by a governmental body like a board of education. Charters allow choice to families to decide which method of schooling they deem to be most in line with their values and interests for their children.

Charter School Authorizers Context

Charter school authorizers hold schools accountable for student benchmarks determined in their charters – serving as performance contracts. They are responsible for reviewing and deciding whether a proposed charter school provider/operator meets their state's standards and conducting reviews every few years. If the school fails to meet standards after a probation period, the authorizer will close the school (Langhorne, 2018). In fact, districts where authorizers actively enforce their charter standards are shown to further outperform public schools than the districts where authorizers are lenient (CREDO, 2015). The exact measurement of this outperformance is examined in the *Background* section of this report.

Stakeholders

The most important primary stakeholders in a given education system are U.S. families with children in public or charter schools. They are most impacted by the

problem now and have the strongest interested in high-quality charter school options. Other primary stakeholders include those also affected by charter school quality – which are the teachers and administrators that make up the public education system.

The secondary stakeholders in this situation are those with a vested interest in having either high- or low-quality charter schools. This includes teachers' union administrators, activists, donors, policy groups, interested citizens, etc. Many of these secondary stakeholders release and analyze data, information, and positions on the topic of charter schools. Their objective is to advance a position or opinion and influence those making the decision on education policy, with the ultimate goal of improving the education system in some way – whether it be for teachers or students/families. By understanding these stakeholders and their roles, I can weigh and anticipate the benefits and drawbacks of different policy options.

Four Models

When considering jurisdiction over charter authorization policies, state governments have authority over setting these policies, often establishing to what degree they will delegate authority to a local government body (e.g., a county or city school board). The following four models will summarize distinct approaches to delegation of authorization power, ranging from a stringent state-controlled approach to a loosely regulated approach, with several intermediary models considered as well. These models inform the status of the modern debate among states for the leading methods of authorizing and overseeing charters.

1. The Mississippi Model

Mississippi state laws on charter school authorizers are a well-known example of a stringent approach to authorization. Following a 2011 report by the National Alliance for Public Charter Schools that ranked Mississippi last in the U.S. in its annual charter school rankings (out of forty-one states considered), state lawmakers sought to address the problem (NAPCS, 2011). In April 2013, former Governor Phil Bryant signed Mississippi House Bill 369, the Mississippi Charter Schools Act of 2013, into law with bipartisan support. The stated purpose of the bill is to close achievement gaps between high-performing and low-performing groups of public-school students via the use of different, high-quality models of teaching, governing, scheduling and other aspects of schooling which meet a variety of student needs. Additionally, the bill states that by allowing public schools freedom and flexibility in exchange for exceptional levels of results driven accountability, the state can encourage the replication of successful charter schools (Moore & Dixon, 2013).

Today, Mississippi ranks seventh out of forty-five states considered by the National Alliance for Public Charter Schools in its 2022 annual report (NAPCS, 2022).

This law requires charter schools to be managed not-for-profit and for the state to grade districts on an A-F scale, with each grade signifying different circumstances or rules for the district's charter schools. For example, districts graded A, B, or C have vetoes over charter schools in their boundaries, meaning the school district board can prevent a charter school from opening in the district because the state has already deemed the public schools to be high-quality. Meanwhile, districts graded D or F only require approval from the state authorizing board. Lieutenant Governor Tate Reeves stated that the Bryant Administration sought to include C-grade districts in the group that only require authorizing board approval, but the Administration chose to compromise to ensure the D and F districts would have opportunities for charter schools (WCBI, 2013).

The final requirement to consider is that the bill prohibits students from crossing district lines to attend a charter school in another district, disproportionately harming small rural districts as a charter school in one of those districts would have more difficulty enrolling enough students to keep the school financially viable (The Associated Press, 2013).

The Mississippi Charter School Authorization Board (MSCAB) is comprised of seven members: three appointed by the Governor, three appointed by the Lieutenant Governor, and one appointed by the State Superintendent of Education (MSCAB, 2022). Since House Bill 369 passed in 2013, nine public charters have been issued. Critics of the MSCAB process say they operate slowly and in an overly skeptical manner and note that the majority vetoes the majority of applications (The Star-Herald, 2022). In a recent round of decisions by the MSCAB in September, the board rejected all but one of five applicants that made it to the final round. Critics were especially disappointed by the board's rejection of the state's proposed charter high school in Clarksdale, MS, one of the areas with the highest poverty rate in the state.

However, the board's decision was reached using a review by an independent evaluator and the D-rated elementary charter school that already existed in the district. Of the state's nine current charters, six were assessed for accountability scores (based on student performance), with one B, two C's, and three D's. It is important to consider that the starting point of the students coming from the public schools is low, however, the MSCAB is rightly skeptical of authorizing additional charters as there are still not demonstrable improvements in school quality from the public schools.

For performance analysis, the MSCAB published a "Mississippi Charter School Performance Framework" in 2019 with the goal of giving charter school operators clear expectations and standards and fair oversight while ensuring their autonomy (MSCAB, 2019). Specifically, the Framework explains how to achieve an A-F rating which determines a charter's viability. For example, to achieve an A, a school must:

(1) exceed school-specific annual goals (as previously developed and agreed upon by the charter school and the MSCAB),
(2) have 76 to 100% of subgroup students achieving a set growth target (subgroups include race, gender, poverty status, special education status, English learner status, and gifted education status with performance evaluated by reading/math exams and End of Course Assessments), and
(3) have 76 to 100% of subgroup students achieve a score of proficient or higher (on the previously stated exams and assessments).

2. The Ohio Model

Ohio state laws on charter school authorizers are notably lenient, with wide-ranging authority given to multiple actors in the state on authority to establish and manage charters. The state's modern policy on charters was established in 1997, allowing the state to use multiple agencies to assess charter applications and charter operations, including non-governmental organizations like the non-profit Ohio Council of Community Schools which currently sponsors forty-eight charters in Ohio, and the non-profit Thomas B. Fordham Institute which sponsors thirteen charters in Ohio (OCCS, 2022; Thomas B. Fordham Institute, 2022).

The state only limits these organizations to approving no more than one hundred charters in a year, and the Ohio Department of Education to approving no more than twenty charter schools in a year, and only five of those can be issued to new organizations. Ohio state law requires performance contracts between authorizers and the charters they authorizer, including stipulations for curriculum, academic goals, evaluation measurement methods, and their respective duties (NAPCS, 2022). Today, Ohio ranks twelfth out of forty-five states considered by the National Alliance for Public Charter Schools in its 2022 annual report (NAPCS, 2022).

New start-up charters may only be issued in a "challenged school district," which are urban districts with a poverty level greater than 30% and total enrollment exceeding 12,000 students, or any district ranked in the lowest 5% of school districts

according to their performance index score on the State Report Card (OSBA, 2014). As defined by the Ohio Department of Education, their sponsors (or authorizers) may be:

(1) the local board of education of a respective school district or of a city/exempted village in a county where their territory comprises a majority of the country's boundaries,
(2) the board of a joint vocational school district (JVSD) in a county where the JVSD's territory comprises a majority of the county's boundaries,
(3) the governing board of an educational service center (ESC) in a county where the ESC's territory comprises a majority of the county's boundaries,
(4) an authority designated by any of the thirteen state universities, given the program is related to the university's teacher preparation program, or
(5) a qualified tax a qualified tax-exempt entity under section 501which(3) of the Internal Revenue Service Code, which:
    a. has been in operation for at least five years;
    b. has assets of at least $500,000 and a demonstrated record of financial responsibility;
    c. has a demonstrated record of successful implementation of education programs;
    d. is an "education-oriented entity" as determined by ODE;
    e. not a community school.

In terms of closures, Ohio state law describes the role of sponsors (authorizers) in monitoring and overseeing schools, and its deference of judgment to closure to those sponsors. Sponsors must review the financial and enrollment records of schools at least every month and provide a written report within ten days, and ensure the school is meeting its contracted obligations or the school will face a probationary status and potential termination and closure (Ohio Revised Code, 2016). All these measures are reviewed and decided by the sponsor. The role of the state is to review the sponsor's qualifications and the Ohio Department of Education can rate the sponsor as well, as either 'exemplary' or 'effective' for an overall rating, 'exceeds expectations' or 'meets expectations' for compliance, and 'exceeds standards,' 'meets standards,' 'progressing toward standards,' or 'below standards' for quality practices (ODE, 2022).

3. The Virginia Model

Currently, Virginia only has seven charter schools operating within its borders, with state laws allowing local school districts to block new ones from being established within their borders. Virginia is one of only three states (Virginia, Maryland, and Kansas) that gives local school districts that power. Today, Virginia ranks forty-second out of forty-five states considered by the National Alliance for Public Charter Schools in its 2022 annual report (NAPCS, 2022). This low ranking is explained by NAPCS as a result of the state's lack of autonomy, accountability, and funding equity for students and alternative, non-district authorizers.

To expand more on Virginia's current policy, the history of charter school law in the state extends back to 1998, when Del. Phillip Hamilton introduced House Bill No. 543 to encourage private groups to get involved in improving public education (Nakashima, 1998). Hamilton's bill at the time faced skepticism from elected lawmakers representing communities in northern Virginia, where schools and students were indisputably more successful than those in other areas of the state, especially the more rural areas. These northern Virginia lawmakers stated that their constituents were apprehensive of new schools being introduced that could harm the funding received by the thriving public schools.

Since 1998, charter school policies have been marginally edited by minor state laws, but the reforms have not majorly impacted the ability for new charter schools to be established (VDOE, 2022). Governor Youngkin stated that he intends to establish twenty new charter schools in Virginia and is looking to enact new legislation to make this possible (Mathews, 2022). Additionally, in the 2022 legislative session, Del. Glenn Davis introduced House Bill No. 344 that permits the Virginia Board of Education to review applications for a charter school and revokes the power of a local school board to block any charter application without consideration by the state, and the Board's ruling is final (Virginia LIS, 2022). The bill was referred to and left in the Committee on Education during the 2022 session, and will likely be considered in 2023 again, as it is a priority of the Governor. Virginia Senate Bill 635 seeks to do the same as HB 344.

The seven charter schools currently operating in Virginia show student achievement levels above the state average for math and reading. Specifically, the seven Virginia charters have an average math proficiency score of 86%, versus the state's 82%, and an average reading proficiency score of 82%, versus the state's 78% (Public School Review, 2022). However, the state's charters only serve approximately 1,200 students of the state's approximately 1.2 million school-age children, or 0.001%. In summary, the Virginia model of charter schools represents an underutilized model of education for K-12 students that can produce tangible results in student

achievement. At worst, the Virginia model represents an insufficiently tested and untapped market of education options for families in failing districts to try a new approach for their children.

4. *The Indiana Model*

Ranked as first in the nation by a leading national advocacy group for charter schools, Indiana appears to be the exemplary state for charter authorization policy. Interestingly, Indiana allows for multiple authorizers and is ranked by the group as a "12/12" for "Authorizer and Overall Program Accountability System Required," the same as Mississippi. Where this group ranks Indiana higher than Mississippi, is for the "Non-District Authorizers Available" component score; Indiana receives a "12/12" whereas Mississippi receives a "6/12."

This component score is based on the fact that "Indiana law allows local school boards, public four-year universities or their designated representative, the Mayor of Indianapolis, a state charter board, and a governing board of a nonprofit college or university that provides a four-year educational program for which it awards a baccalaureate or more advanced degree to authorize charters." (NAPCS, 2022). This option appears to be similar to the Ohio model, but slightly more stringent and limited on what bodies can serve as authorizers. Compared to Mississippi, there are more options than just the state board to authorize.

Indiana's charters also appear to provide exemplary education to their students. Three different studies found evidence that Indianapolis charter schools academically outperform their public-school counterparts in the area. For example, one study found that students in enrolled in city charter schools earned higher math and reading standardized test scores than students in traditional public schools (CREDO, 2019). Even more notable is the stronger impact that charter school enrollment seems to have had on Black and Hispanic students in Indianapolis schools.

The study found that Indianapolis charter schools, compared to traditional Indianapolis public schools, produced gains equivalent to an extra seventy (70) days of reading learning and an extra ninety (90) days of math learning for its Black students. For Hispanic students, it found they produced gains equivalent to an extra ninety (90) days of reading learning and an extra ninety (90) days of math learning as well. A final noteworthy point made by the report on authorizer policy is that more than "65 percent of the charter schools in Indianapolis are authorized by the Indianapolis Charter School Board (housed within the Mayor's Office). The other charter schools are authorized by state funded entities." (CREDO, 2019).

The second study was also conducted by the Center for Research on Education Outcomes years after the initial one to retest the city's education offerings and the precision of CREDO's analysis. The study affirmed the 2019 findings, stating "For reading, Indianapolis charter students made similar learning gains than the state average over the two growth periods." Meanwhile, traditional Indianapolis public schools were below the state reading average. Additionally, "for math, Indianapolis charter and innovation school students grew on par with the state average, while Indianapolis district students exhibited weaker learning gains than an average student in the state over the two growth years." Again, traditional Indianapolis public school students were below the state math average (CREDO, 2022).

The third study was a separate analysis conducted to determine the effect of Indianapolis charter enrollment on elementary school-age students specifically. The study's author, Hardy Murphy, wrote that he tried to control for biases by adjusting for student transfers by focusing the study on students who enrolled in kindergarten and remained enrolled afterwards. Indiana University published the study, writing that the research showed a "positive trend for students attending mayor-sponsored charter schools." Murphy expanded on this by writing "Study results underscore the need for the charter school discussion to move beyond a debate over effectiveness to a research-based inquiry into policies and implementation practices that result in success for students whose parents choose charter schools as their educational option," Murphy said.

"Providing meaningful research findings to this discussion is the best way to inform effective policymaking in this important area." (Indiana University, 2019). The next step in this policy debate for states is how authorizer policy and implementation practices can create successful charters and ensure high quality education options are provided to students, especially those in underserved areas.

Alternatives

Alternative 1 – Stringent State Authorization Board (SSAB)

This option is modeled after the state of Mississippi's authorization policy. It would establish a state board comprised of seven members: three appointed by the Governor, three appointed by the Lieutenant Governor, and one appointed by the State Superintendent of Education, or the state's equivalent. This board would consider charter school applications for the allowed districts and determine whether to authorize them. It would also conduct oversight of existing charters and ensure they meet the terms of their charter each year. This option requires charter schools to be managed not-for-profit and for the state to grade districts on a letter scale with different rules on district versus state authority for each grade.

Alternative 2 – "Wild West" Authorizers (WWA)

This option is modeled after the state of Ohio's authorization policy, which are notably lenient and were dubbed by *Harvard Ed. Magazine* as "the Wild West for chartering" (Jason, 2017). This option would allow the state to use multiple agencies to assess charter applications and charter operations, including non-profit non-governmental organizations. The state would only limit these organizations to approving no more than one hundred charters in a year, and the state's Department of Education to approving no more than twenty charter schools in a year, and only five of those can be issued to new organizations.

The option would require performance contracts between authorizers and the charters they authorizer, including stipulations for curriculum, academic goals, evaluation measurement methods, and their respective duties. New start-up charters would only be issued in a "challenged school district," which are urban districts with a poverty level greater than 30% and total enrollment exceeding 12,000 students, or any district ranked in the lowest 5% of school districts according to their performance index score on the State Report Card, or the state's equivalent.

Alternative 3 – Local School District Authority (LSDA)

This option is modeled after the state of Virginia's authorization policy. This option would allow local school districts to block new charters from being established within their borders. An authorizer may be the same as any of the three proposed

above in Alternative 2, but a local school district has the ability to veto their approval before being considered by the Virginia Board of Education (VBOE). However, any charter school proposed by a local school district itself, does not need approval from the VBOE. If a charter school application were denied by a local school district, the VBOE would be permitted to provide the district's rationale for denying the application.

Alternative 4 – State Authorization Board and Alternate Designated Authorizers (SAB-ADA)

This option is modeled after the state of Indiana's authorization policy. This option allows local school boards, public four-year universities or their designated representative, a state charter board, and a governing board of a nonprofit college or university that provides a four-year educational program for which it awards a baccalaureate or more advanced degree to authorize charters. This option is similar to Alternative 2, but slightly more stringent and limited on what bodies can serve as authorizers. Compared to Alternative 1, there are more options than just the state board to authorize.

Criteria

Criterion 1: Effectiveness

To measure **effectiveness**, I will evaluate how each option (1) provides more education options to families, and (2) improves student performance through educational outcomes and learning success. First, I will measure "education options" by the ability of the option to allow the opportunity for new charter schools to open in the state, offering more education options to families. Recall from the *Background*, the University of Arkansas study, among others, that found charter schools are (1) more cost effective, (2) producing higher student achievement gains, and (3) yielding a greater return on investment than traditional public schools (DeAngelis, Wolf, Syftestad, Maloney, & May, 2021). This will be measured by a ranking for each alternative on an effectiveness scale of low, medium, and high.

Second, I will measure "student performance" by looking at statistics from the Department of Education published in the National Assessment of Educational Program (NAEP) for each option's state and comparing the performance of students in charter schools to those in traditional public schools within the respective state. My data analysis for student performance will be scoped to student success on test scores for mathematics and reading.

Effectiveness on Improving Education Options Criterion Rubric

Low	Medium	High
Alternative does not allow for or facilitate the establishment of alternate education options 0-0.3	Alternative allows for and facilitates the establishment of *some* alternate education options with checks on those alternates 0.3-0.65	Alternative allows for and facilitates the establishment of alternate education options 0.65-1

Table 1

Effectiveness on Improving Student Performance Criterion Rubric

Low	Medium	High
Alternative is not correlated with improved student academic performance, potentially worst performance than traditional public schools 0-0.3	There is no clear correlation between the alternative and student academic performance 0.3-0.65	Alternative is correlated with improved student academic performance 0.65-1

Table 2

Criterion 2: Direct Cost

I will evaluate **direct cost** through cost effectiveness analysis, analyzing costs like hiring authorizer administrators and staff, as well as the required IT infrastructure and comparing them with effectiveness standards considered in my first criterion. This will also be measured by a ranking for each alternative on a cost effectiveness scale of low, medium, and high.

Direct Cost Criterion Rubric

Low	Medium	High
Alternative would require a relatively low amount of state funding Evaluated by exact amount and resultant 0-1 value	Alternative would require a relatively average amount of state funding Evaluated by exact amount and resultant 0-1 value	Alternative would require a relatively high amount of state funding Evaluated by exact amount and resultant 0-1 value

Table 3

Criterion 3: Political Feasibility

Third and finally, I will evaluate **political feasibility** by assigning three feasibility scores to each option based on the state's potential political inclination – Democrat (blue), Republican (red), or Independent (purple). This will also be measured by a ranking for each alternative on a political feasibility scale of low, medium, and high. Each of these criteria will also be valued on a 0-1 scale to be more specific about the weigh given to each low, medium, and high valuation to signify differences between each alternative. An ultimate average will be given to each alternative, which will be used to compare the options and select the final recommendation.

Political Feasibility Criterion Rubric

Low	Medium	High
Alternative would not be feasible in the political environment of the listed political inclination for a state 0-0.3	Alternative may be feasible in the political environment of the listed political inclination for a state, with stipulations 0.3-0.65	Alternative is feasible in the political environment of the listed political inclination for a state 0.65-1

Table 4

Findings

Alternative 1 – Stringent State Authorization Board (SSAB)

In terms of effectiveness, Alternative 1 ranks medium for increasing education options. In the SSAB model of Mississippi, state management of charter applications removes the bias of local school districts' concerns and instead considers a holistic state approach. This approach ensures the interests of the students are put first, and that there is space for compromise between parents who want additional options and teachers and administrators concerned about the institutional means and aptitudes of the district. With this compromise, there is a relative "medium" ability for the state board to consider the pleas of each group and determine whether a new charter is appropriate and necessary to assist students in that are being failed by their current options.

One concern of SSAB critics is the fairness of the grading system. This system, that assigns letter grades to charter schools and Mississippi school districts based on their "academic, financial, and organizational health," does not take into account the different circumstances between charters and entire districts. For example, Midtown Public Charter School of Jackson, MS serves a fraction of the number of students and grade levels as Jackson Public Schools, and that their students often started at much lower academic abilities comparatively. These comparisons demonstrate this grading system may be a prime victim of causal inferences affected by selection bias.

In states that adopted an SSAB model or one similar to it, student achievement scores in charters are the highest among the four options. In Nevada, where the Nevada State Public Charter School Authority (SPCSA) manages all charters, mathematics and reading scores were some of the highest in the country for eighth graders in charter schools. In 2022, seventy percent (70%) were at or above basic achievement levels for mathematics, while seventy-eight percent (78%) were at or above basic achievement levels for reading (State of Nevada Department of Education, 2012; U.S. Department of Education, 2022).

In New York, three public institutions serve as authorizers: the State Education Department (NYSED), the State University of New York (SUNY) and the NYC Department of Education – similar to the entirely public SSAB model (New York City Charter School Center, 2023). In 2022, sixty-three percent (63%) were at or above basic achievement levels for mathematics, while seventy-four percent (74%) were at or above basic achievement levels for reading (U.S. Department of Education, 2022).

In terms of cost, Alternative 1 would require a relatively high cost compared to the other three options. Because of the establishment of a formal public authorization board that operates independently of the state's department or Board of Education, there would need to be new salaried employees of the state, which increases costs significantly. As described, this option would require seven appointed positions, each of which would receive a salary from the state plus benefits, as well as additional staff, perhaps approximately three staff members, to assist with their workload. The comparable title for these roles would be instructional coordinators, which has a median salary in the United States of $63,740 according to the Bureau of Labor Statistics data as of 2021 (U.S. Bureau of Labor Statistics, 2021).

If you assume seven appointed positions and three staff positions are all hired at this median rate, this will cost the state $637,400 per year for salary alone. With the additional costs of benefits, which the Bureau of Labor Statistics calculates to be 29.6% of a worker's compensation (U.S. Bureau of Labor Statistics, 2022). Using this data, the total cost of employing a worker is 142% of the worker's salary. Thus, on average, it will cost the state $90,511 per worker, which is $905,110 for the state.

Also, the state must consider the additional necessary IT infrastructure required to manage the flow of applications and school performance data. According to information technology company Spiceworks, a 2014 survey found that businesses employing nineteen or fewer employees spend, on average, $2,770 per employee on IT (Spiceworks, 2014). Considering the assumed ten employees, it is reasonable to estimate that the annual cost of IT infrastructure is $27,700. Thus, the total annual cost for Alternative 1 is approximately $932,810. This is the highest estimate of all four considered alternatives.

In terms of political feasibility, Alternative 1 is optimal for a purple state. In a politically independent or ideologically split state environment, this option would make the most sense because of its ability to allow for new charters, a policy encouraged by Republicans, with the check on it that the state board can intervene when a charter may not be in the best interest of a district or an area where previous charters are also failing. In summary, this option balances the concerns of each side the best and appears to be the quintessential political compromise on the issue of authorizing and regulating charters.

Alternative 2 – "Wild West" Authorizers (WWA)

In terms of effectiveness, Alternative 2 ranks high for increasing student options. In the WWA model of Ohio, charter school management has multiple

options – including state management or decentralized management by a recognized third party. There is a much smaller check on these outside authorizers by the state, with the only limit being that new "start-up" charters can only be issued in a "challenged school district," which are urban districts with a poverty level greater than 30% and total enrollment exceeding 12,000 students, or any district ranked in the lowest 5% of school districts according to their performance index score on the State Report Card, or the state's equivalent. This is the least restrictive model of all four alternatives and would be provide a state the most opportunities for new charters and alternate education options.

In states that adopted a WWA model, student achievement scores in charters are among the lowest of the four options. In Ohio, only thirty-seven percent (37%) of students were at or above basic achievement levels for mathematics, while forty-nine percent (49%) were at or above basic achievement levels for reading (U.S. Department of Education, 2022).

A 2021 study by Gilblom and Sang studied the WWA model in Ohio and found that charters run by Charter Management Organizations (CMOs), non-profit entities that manage two or more charter schools, and Education Management Organizations (EMOs), for-profit entities that manage charter schools and perform similar functions to CMOs, have lower risk of closure than freestanding charter schools, but lower achievement in math and reading than those schools (NAPCS, 2011; Gilblom & Sang, 2021). Ohio contains CMOs, EMOs, and freestanding charters – offering the widest variety of options to families. This facilitates its high effectiveness rating but does not rank the highest because the hands-off approach by the state does not fully solve the problem of weak authorizers.

In terms of cost, Alternative 2 would require a relatively medium cost. The work being done to address and evaluate charter applications would be absorbed by the existing boards and Department of Education in the state and local districts. However, additional staff may be necessary to assume the entire workload and to act as liaison with these third-party groups that are allowed to open, manage, and operate charter schools in their given state.

An appropriate estimate would be that this alternative would require four (4) additional staff members that specialize in charter management and cost of $90,510 per staff member, the total cost would be approximately $362,040 for labor. To consider the additional resources necessary for IT infrastructure ($2,770 per employee), an appropriate total estimate of this alternative's cost would be $373,120. This total is relatively medium compared to the other alternatives.

In terms of political feasibility, Alternative 2 is optimal for a red state. As described previously, Republican states prioritize education policies that provide more options to parents outside the traditional public schooling system. Thus, with this policy being the least restrictive available model, it would be most ideal for a red state. Blue and purple states would likely reject a WWA model because it removes a lot of authority and ability for input from the state and the local districts in the establishment of new schools.

Alternative 3 – Local School District Authority (LSDA)

In terms of effectiveness, Alternative 3 ranks low for increasing student options. By allowing local districts to veto in the LSDA model, a state essentially removes any chance for there to be more charters issued. Local districts are often, and almost always, against any new or alternate methods of education that have the potential to divert funding from the local public school system. In other words, this alternative limits public dollars to public schools only, and the only other education option would be a private system that requires personal funding by a family. This alternative maximizes funding to traditional public schools, and essentially halts the opportunity for any charters to be established.

In states that adopted an LSDA model or one similar to it, student achievement scores in charters are among the lowest of the four options. In Maryland, only thirty-eight percent (38%) of students were at or above basic achievement levels for mathematics, while sixty-one percent (61%) were at or above basic achievement levels for reading. In New Mexico, where local districts work in conjunction with their state department of education, they have a hybrid SSAB/LSDA model (New Mexico Public Education Department, 2023). Here, fifty-six percent (56%) of students were at or above basic achievement levels for mathematics, while seventy percent (70%) were at or above basic achievement levels for reading (U.S. Department of Education, 2022). Mathematics scores in Maryland are especially troubling relative to other states.

In terms of cost, Alternative 3 requires little if any funding. Any charter applications in the state would be managed by the pre-existing Department of Education and Board of Education, and the local districts that get to review these applications and provide their input would not require any additional funding to complete this process. Thus, the total funding required for this alternative is $0 – making this option by far the most affordable for a state.

In terms of political feasibility, Alternative 3 is optimal for a blue state. The interests of teachers' unions are often a high priority for Democrats, and unions are in favor of a LSDA model that empowers a local school district, thus empowering a

local teachers' union. By allowing for this local check, charters will be limited, and the interests of Democrats and teachers' unions will be realized. This option would not be likely in a red or purple state because it does place the interests of these unions above the interests of students dash which would be alternate educational options beyond traditional public schools, especially where those schools are failing students.

Alternative 4 – State Authorization Board and Alternate Designated Authorizers (SAB-ADA)

In terms of effectiveness, Alternative 4 ranks high for increasing student options. Like Alternative 2, this option provides vast opportunities for innovative educational opportunities for families to try. By expanding beyond just a state managed charter, but with more strict provisions of who manages those charters, this option appears to be *the most effective* in providing strong opportunities to families and students. As stated previously, Indiana's SAB-ADA model is ranked the best by the National Alliance for Public Charter Schools because of the degree of autonomy it grants charters, but also the degree of accountability that the state requires as well. This combination creates a an especially effective environment for educational innovation and the guarantee of student success.

In states that adopted an SAB-ADA model or one similar to it, student achievement scores in charters are inconsistent, and thus the option receives a medium ranking. In Indiana in 2022, only thirty-two percent (32%) of students were at or above basic achievement levels for mathematics, while fifty-nine percent (59%) were at or above basic achievement levels for reading (U.S. Department of Education, 2022).

Meanwhile, in Minnesota, the state sees some of the highest student achievement levels in the country. They follow the SAB-ADA model, as "authorizers can be school boards or intermediate school district school boards, other education districts, charitable organizations, institutions of higher education, nonprofit corporations subject to Chapter 317A or single purpose authorizers" (MDE, 2023). In 2022, eighty-one percent (81%) of students were at or above basic achievement levels for mathematics, and seventy-seven percent (77%) were at or above basic achievement levels for reading (U.S. Department of Education, 2022).

In terms of cost, Alternative 4 follows nearly the same guidelines as Alternative 2, however it would require one (1) less staff member considering it has less authorizers to manage – thus, the cost for labor for this alternative would be approximately $271,530. With IT costs included, the total cost for this alternative would be approximately $279,840. Recall that this option is very similar to Alternative 2, however it is more stringent on which bodies can serve as authorizers.

In terms of political feasibility, Alternative 4 is optimal for a red state. The rationale for this designation is very similar to alternative two. It is slightly more feasible than Alternative 2 because its additional checks make it more appealing to politically moderate Republican and Democrat legislators. However, this one may be more feasible for a purple state because of the additional checks given to the state to ensure the charter is accountable, and that the autonomy is not unrestrained.

Costs by Alternative

The total direct costs of each alternative, as explained above, are summarized here in ***Figure #2****.*

	Alternative 1	Alternative 2	Alternative 3	Alternative 4
Annual Cost ($)	$932,810	$373,120	$0	$279,840

Figure #2

Outcomes Matrix

The weighted findings for each criteria for each alternative, as explained above, are summarized here in ***Figure #3****.*

	Alternative 1	Alternative 2	Alternative 3	Alternative 4
Effectiveness: facilitating more choice	Medium (0.5)	High (0.8)	Low (0.2)	High (0.85)
Effectiveness: state scores	High (0.7)	Low-Medium (0.3)	Low-Medium (0.3)	Medium (0.5)
Cost	High cost (0.2)	Medium cost (0.4)	Low cost (0.8)	Medium cost (0.5)
Political Feasibility: blue state	Medium-High (0.65)	Low (0.2)	High (0.8)	Low (0.3)
Political Feasibility: red state	Medium (0.5)	High (0.8)	Low (0.2)	High (0.85)
Political Feasibility: purple state	High (0.8)	Low (0.2)	Low (0.2)	Medium (0.5)
Average	**0.56**	**0.45**	**0.42**	**0.58**

Figure #3

Radar Graph

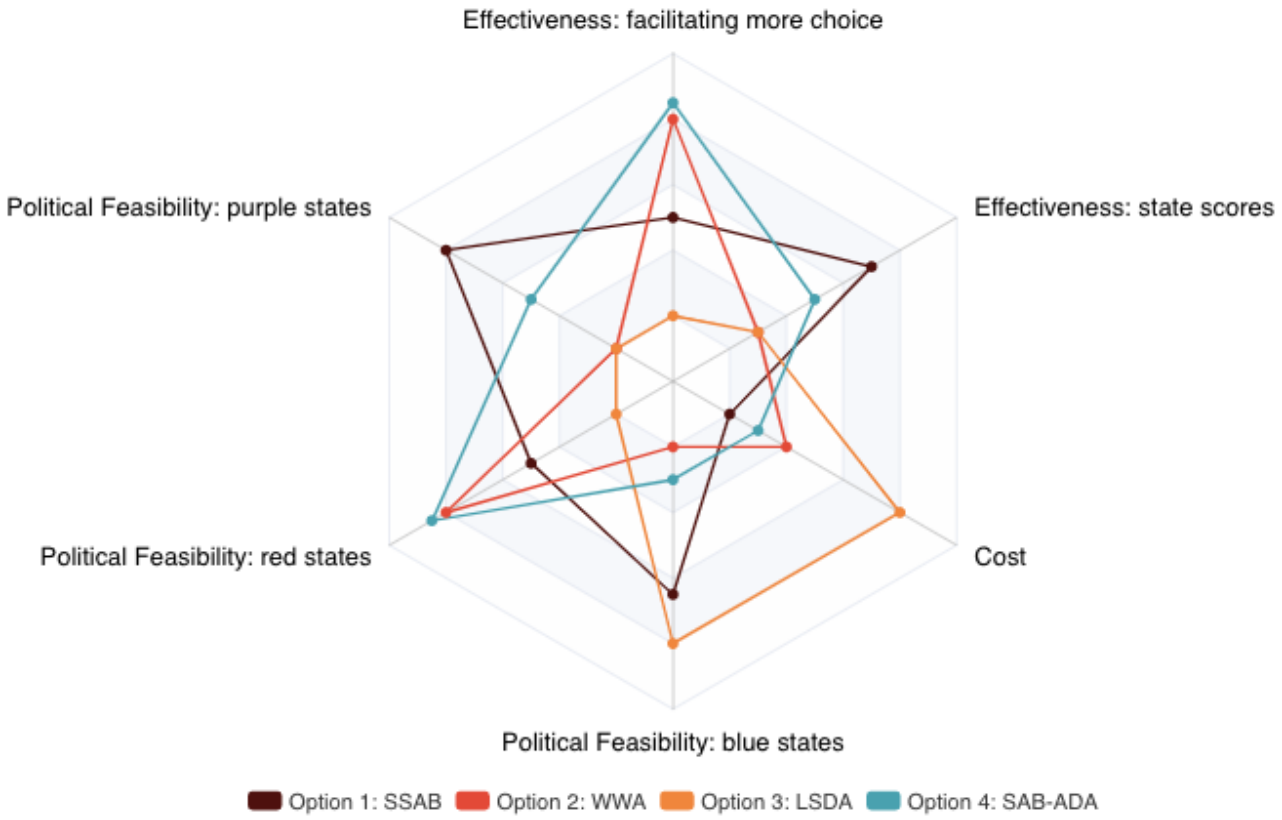


Figure #4

The radar graph shown here in **Figure #4** allows the reader to see a visual color-coded representation of which alternatives perform best in each criterion. For example, the orange line, for the LSDA option, is the furthest toward the edge for the cost and political feasibility for blue states criteria, because of its zero cost and the fact that Democrats typically support this policy. Those options that occupy the most area of the graph are the best alternatives because their lines reach out the furthest for most of the criteria. It is shown here that the SAB-ADA option appears to occupy the most area, thus it is the best alternative when considering all the criteria.

Recommendation

Based on consideration of the criteria, **Alternative 4** is the ideal model for the United States "on average" for state charter school authorization policy. The SAB-ADA model's high effectiveness, medium cost, and appealing political feasibility to most political affiliations make it the most plausible option that would produce the best possible results for a given state that experiences strong political debate between teachers' unions and families on this topic. It would be feasible for a red and purple state to adopt this policy and to abandon the ineffective policy proposed in an option like Alternative 3.

However, for blue states and more Democrat-leaning purple states, Alternative 1 is the best possible model, and a close second to Alternative 4. Where the political conditions are more averse to alternate options to traditional public schooling, and leaders seek state checks on the charter system, the SSAB model is the best option with medium effectiveness and generally medium-high political feasibility.

Implementation

Manager

When an SAB-ADA model is adopted, there will be a state-level institution within the state's Department of Education that oversees the local school boards, public four-year universities or their designated representative, state charter school board, and governing board of their respective nonprofit college or university. This institution will hire three additional staff to join the state's Department of Education, with one of those staff members managing the team that oversees authorizers and charter performance.

Doer

The two other staff members working in this state institution under the Department of Education will manage the flow of charter applications, performance data, and communications with the other respective public institutions that are managing the schools. Using the IT infrastructure accounted for in the SAB-ADA cost analysis, the staff will have access to an online portal that will be used for applicants to submit electronic proposals and for schools to submit student performance data. This portal will create a constant method of communication to keep all parties informed, preventing any crises of asymmetrical or misaligned information.

Fixer

These three staff members will be overseen by the state's elected individual or body that supervises education policy – often either a state school superintendent or Board of Education. This individual or body will have an open line of communication with the staff manager and conduct annual oversight efforts on the state institution. They will not be able to intervene in individual application or performance evaluation decisions, but instead can intervene in the personnel decisions for this institution's staff.

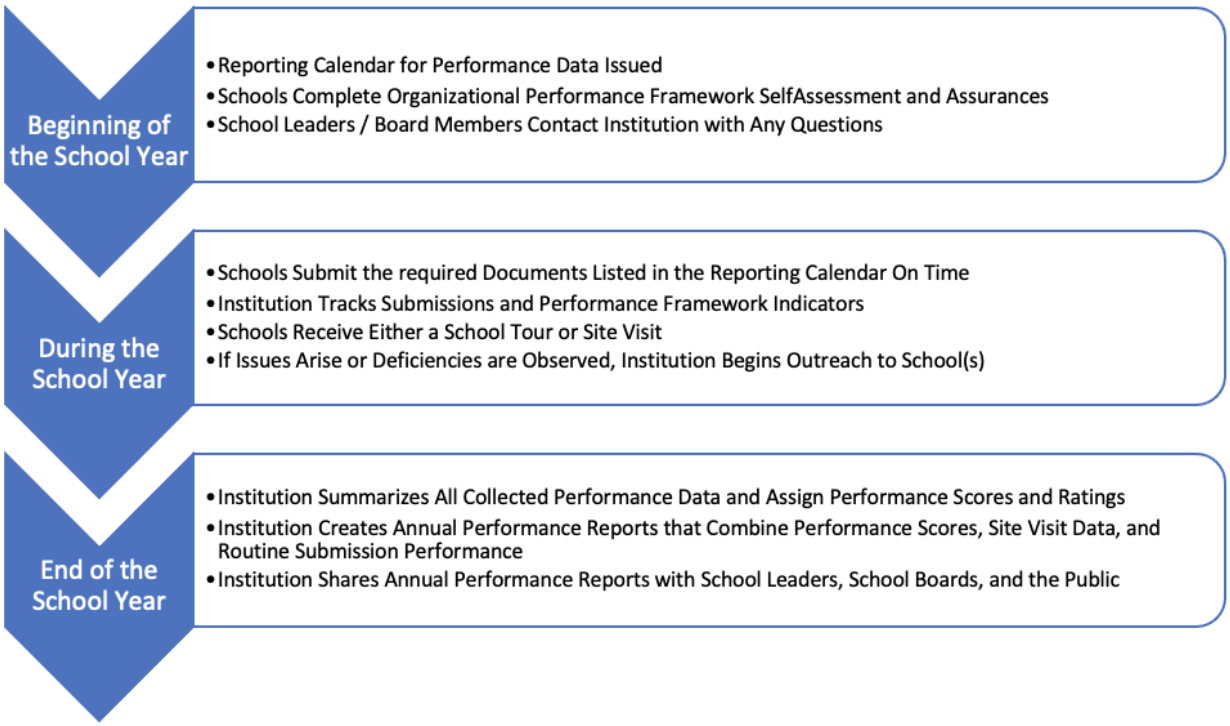
In a "worst-case scenario," the worst that could be done by these three staff members is a failure to report worsening academic performance metrics or close failing charters. They could also, for example, approve a flawed charter application. However, the check in place where the elected individual or body can oversee personnel would manage any of these scenarios and be able to prevent or reverse poor decisions made by this staff.

Incentives

This system of oversight and accountability creates an incentive system where the personnel of this SAB-ADA state institution answer to elected representatives of the state. This staff has a strong incentive to be responsive to these elected officials and to competently manage the flow of applications and performance data, otherwise they face termination and public degradation from their actions. Additionally, the public bodies managing the charters and reporting to this institution that reports to the elected officials have an incentive to truthfully track performance data and communicate cooperatively with the institution. If they do not, they face closure and revocation of their license to operate, as well as the same public degradation from their actions.

Performance Framework Timeline

This framework shown here in **Figure #5** is from the state of Mississippi's model of institutional oversight over charters. While it is part of an SSAB model, it appropriately applies to the SAB-ADA model.



Source: Mississippi Charter School Authorization Board

Figure #5

Considering Opposition and Outside Stakeholders

Once established, the institution will likely experience opposition from state actors that are not in favor of expanded schooling options beyond traditional public schools. Additionally, those bodies that manage the charters, like a public university, also may be opposed to the oversight capabilities of the institution or of the state Board of Education as well. Generally, outside stakeholders for this issue will be in some way interested in improving public education or acting in the interests of certain stakeholders, like teachers or administrators. To manage these stakeholders, the staff will be available to teachers, unions, administrators, and others outside of the charter system that are concerned or interested in getting involved in the process. When the state Board of Education or superintendent is available for public question or comment, charter policy will become a part of their role as well.

In terms of opposition related to funding, there will likely not be many detractors that do not favor additional funding to public education institutions. While Republican legislators are generally more apprehensive of increasing government funding, the fact that this model provides more options to families beyond traditional public schooling, they will likely be in favor of funding this institution. In conclusion, implementing the SAB-ADA model balances ineffective hierarchy of staff and oversight, relationships with the bodies they work with, incentives for all groups, a clear workflow and schedule, and a simple system of interacting with opposition and outside stakeholders. With the listed costs and duties provided for, this model will be effective, affordable, feasible, and administratively straightforward to carry out.

Conclusion

As of 2023, education is emerging as one of the top issues in state and local politics, and the debate around school quality, curricula, and accountability is dominating policy conversations. As examined in this report, a portion of nontraditional public schools – public charter schools – operate outside of the typical rules and regulations and are seen as a viable alternative to traditional public schools. At the same time, these charters are also struggling with school quality and accountability and there is a clear Overton Window available to address this issue as education becomes more prescient in the minds of American parents and families. **This report's recommended SAB-ADA model serves as a hopeful alternative to all states that seek to improve outcomes for students in a cost-effective, politically feasibly manner. By implementing this model, states can lead the charge to revolutionize parent buy-in with education and the opportunities for their children that are available in the future.**

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