

Indiana: Preventing Authorizer Shopping to Preserve Quality Schools

Indiana has multiple authorizers and a growing charter community. While the state had an otherwise strong charter law, Indiana's story is an example of the risks associated with not having comprehensive authorizing policies in statute. Authorizer shopping—when charter schools change authorizers to avoid closure or scrutiny—was one symptom of underlying problems with a law that allowed vastly different standards of practice among authorizers. Strong authorizer practices and open lines of communication are critical, and policy helps reinforce and spread these practices. This is especially important if inappropriate behavior emerges.

CHALLENGES

Failing charter schools in Indiana kept finding ways to stay open. Even in recent years, as authorizers increased performance expectations and showed greater willingness to close failing schools, some schools sought out new authorizers to avoid accountability. The lack of strong statutory policies led to highly public instances of authorizer shopping in 2013: when an established authorizer increased its accountability process and moved to close seven failing schools, three were able to find new authorizers and remain open. Not all authorizers were enforcing strong standards and, as a result, schools were allowed to continue failing students.

” *Indiana Stakeholders Said: “It only takes one bad authorizer to mess things up for everyone.”*

POLICY FIXES

Legislation enacted during the 2013, 2014, and 2015 legislative sessions was designed to bolster common standards of practice and accountability among all authorizers, preventing inappropriate authorizer shopping using these mechanisms:¹

- **Standards of authorizer practice: authorizer standards, performance frameworks, annual reporting, and stronger default closure provisions**
- **Consequences for authorizers if they engage in poor authorizing**
- **A screening process for new authorizers to ensure they have the capacity and commitment necessary to authorize successfully**
- **Provisions to increase transparency of chartering activity, including the disclosure of a charter school's history and required communication between a school's former and potential future authorizers.**

” *Indiana Stakeholders Said: “I'm glad we have a stronger law now and hope it prevents shopping in the future, but we should have had it in place five years ago.”*

EVIDENCE OF PROGRESS

- **Communication:** Indiana’s legislation has already opened up lines of communication among authorizers.
- **Transparency:** There is greater transparency of charter school outcomes and of authorizer decision-making processes. This helps policymakers and the public understand why authorizers must at times make the difficult decisions not to renew a charter, reject a charter application, or close a failing charter school.

” *Indiana Stakeholders Said: “...To be sure, we need both policy and practice, but it had to be both in our state to force those who won’t engage in best practices to change.”*

THE ROAD AHEAD

- While this new law provides protections against authorizer shopping, it has not been tested yet.
- More experienced authorizers remain hopeful that increased conversations with new authorizers will build community and coordination.
- Indiana will need to do the difficult work of enforcing authorizer sanctions if needed, especially if authorizer shopping continues. The law may need revisiting if the problem persists.

” *Indiana Stakeholders Said: “We need more accountability and transparency for authorizers. It’s unacceptable and immoral for a failing school to continue badly serving kids.”*

1. <http://iga.in.gov/legislative/laws/2015/ic/titles/020/articles/024/chapters/2.2/>