

POLICY RECOMMENDATION: Statewide Alternative Authorizers

This policy recommendation is part of a larger policy agenda and multi-pronged campaign designed to provide one million more children the chance to attend a great school that will prepare them for success throughout their lives. By engaging authorizers and a broad nationwide coalition to close failing charter schools and open many more good ones, the *One Million Lives* campaign is working to get one million more children into 3,000 high-performing schools over the next five years. www.qualitycharters.org/one-million-lives.



Each state should have a set of authorizers that ensure applicants and charter schools in all jurisdictions have access to a high-quality authorizer that operates in addition to the local districts. Ideally, these will be Independent Charter Boards (ICB), and all would be charged by statute with implementing practices that align with NACSA's *Principles & Standards for Quality Charter School Authorizing*.

To inform the discussion, NACSA has categorized states by type of statewide authorizer within the state:

- States with multiple authorizers, including a statewide option. The statewide option can be an ICB, a state education agency (SEA), a Not-for-Profit Organization (NFP), or Higher Education Institution (HEI). In this arrangement a charter applicant can apply directly to at least two authorizers.
- States with only one statewide authorizer.
- States with statewide authorizer available only on appeal.
- States with limited jurisdiction statewide authorizers.
- No statewide options at all. Often this means only local districts can be authorizers.

NACSA's Recommendation

NACSA encourages states to establish an alternative authorizer that meets NACSA's *Principles & Standards* and which provides all charter school applicants with at least two authorizer options in every jurisdiction. Ideally, the alternative authorizer would be an ICB and would have the ability to take applications directly, not just upon denial by the local school district. Regardless of the type, all authorizers should be required to implement strong practices in keeping with NACSA's *Principles & Standards*, or similarly rigorous state standards for authorizers.

Alternative authorizers can prevent hostile authorizers from blocking good applicants or closing successful schools. An alternative authorizer also gives states the ability to sanction a specific authorizer as necessary, without eliminating all authorizing activity and thus indirectly harming future charter applicants or strong schools.

This approach is not meant to promote a large number of authorizers operating in any single jurisdiction. In states with a large number of authorizers, many of them will only oversee one or two schools and thus lack the expertise, resources, and experience that lead to expansible and effective authorizing. Moreover, large numbers of authorizers can result in significant variations in standards and practices, leading to "forum shopping" among charter applicants and schools facing closure. States with multiple authorizers should incorporate policies that prevent forum shopping.



Models in use by states currently

States with Multiple Authorizers, Including a Statewide Option		States with Only One Statewide Authorizer	States with Statewide Authorizer Only Upon Appeal	States with Limited Jurisdiction Statewide Authorizers	States with No Statewide Authorizing
Arizona	Missouri	Arkansas	California	Florida	Alaska
Delaware	Nevada	Con.C.	Colorado	Oklahoma	Kansas
Georgia	New Mexico	Massachusetts	Illinois	Tennessee	Virginia
Hawaii	New York	Mississippi	Iowa	Wisconsin	Wyoming
Idaho	Ohio	New Jersey	Maryland		
Indiana	South Carolina	North Carolina	New Hampshire		
Louisiana	Texas	Rhode Island	Oregon		
Maine	Utah		Pennsylvania		
Michigan	Washington				
Minnesota					

Examples of Current Statutory Language

Below are examples of current legislative language. NACSA has model language available.

Hawaii: “(a) There is established the state public charter school commission with state-wide chartering jurisdiction and authority. The commission shall be placed within the department for administrative purposes only. Notwithstanding section -25 and any law to the contrary, the commission shall be subject to chapter 92.

(b) The mission of the commission shall be to authorize high-quality public charter schools throughout the State.” HI SB 2115 5 -3

Nevada: “The State Public Charter School Authority is hereby created. The purpose of the State Public Charter School Authority is to:

1. Authorize charter schools of high-quality throughout this State with the goal of expanding the opportunities for pupils in this State, including, without limitation, pupils who are at risk.
2. Provide oversight to the charter schools that it sponsors to ensure that those charter schools maintain high educational and operational standards, preserve autonomy and safeguard the interests of pupils and the community.
3. Serve as a model of the best practices in sponsoring charter schools and foster a climate in this State in which all charter schools, regardless of sponsor, can flourish.” NRS 386.509

Washington: “(1) The Washington charter school commission is established as an independent state agency whose mission is to authorize high quality public charter schools throughout the state, particularly schools designed to expand opportunities for at-risk students, and to ensure the highest standards of accountability and oversight for these schools. The commission shall, through its management, supervision, and enforcement of the charter contracts, administer the portion of the public common school system consisting of the charter schools it authorizes as provided in this chapter, in the same manner as a school district board of directors, through its management, supervision, and enforcement of the charter contracts, and pursuant to applicable law, administers the charter schools it authorizes.” RCW 28A.710.070