working papers

Contrasting Approaches to Charter School Oversight

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This paper is part of a collection of nine working papers that 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.

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Charter school authorizing—the selection of new schools and oversight of educational "contracts"— is an essential component of charter school reform. Over the past 18 years, charter school authorizers, whether in traditional school districts, state agencies, or nonprofit organizations, have learned a lot about the challenges of their jobs and the best ways to avoid school or system-wide failure.

When the first charter schools emerged in Minnesota and elsewhere in the 1990s, most advocates and detractors alike focused on them as market-driven reforms that would reduce excessive regulations, allow for greater flexibility at the school level and grant a stronger voice to parents. As Finn and Hill (2006) have argued, only minimal attention was paid to the question of how to oversee these new schools; frequently governments delegated charter school authorization as a side task to offices already burdened with other activities or school boards wary of competition for students and financial resources.

Moreover, even authorizers who believed charter schools to be a promising innovation found few models to follow. Charter schools were, in essence, a new technology, and in many cases the challenges of implementing charter school oversight effectively only became apparent once schools were already up and running. As a market reform, charter schools' success has been limited. As Destler and Page (2008) point out, demand outstrips supply in most metropolitan areas; even in the most charter-friendly cities, such as Washington, D.C., and New Orleans, charter schools only educate a minority of public school students. Furthermore, the market has not proved to be a sufficient enforcement mechanism to maximize school quality. As Kowal and Hassel (2008) highlight, even schools with a history of chronic underperformance have diehard supporters; those who hoped parents would vote with their feet and leave poorly-performing schools to close on their own have been sorely disappointed.

Where markets may have proved inadequate, charter school authorizers have stepped in to fill in the gap, creating screening systems to maximize the quality of new providers (Squires and Rainey 2008), monitoring systems to identify and respond to poor performance (Lake and Squires 2008), and protocols for closing schools and salvaging assets when schools as a whole appear unable to change (Kowal and Hassel 2008; Steiner and Hassel 2008). In this way, authorizing offers a promising new example of performance accountability in education. While oversight mechanisms may have been neglected at the beginning, authorizers are increasingly acknowledged as a critical component of charter system success (Finn and Hill 2006); the emergence of groups like the National Association of Charter School Authorizers has highlighted a growing recognition that strong oversight organizations are necessary to hold schools accountable for performance.

As the oversight of charter schools has evolved, some areas of agreement—such as the fact that charter school authorizing requires close attention as well as strong human and organizational resources—have taken hold almost universally across authorizers. Yet substantial ambiguity remains. Whether seeking to find new providers or to respond to a struggling school, authorizers continue to debate how much they should intervene. On the one hand, many warn against micro-management or the recreation of a compliance culture akin to that found in traditional school districts. On the other hand, many authorizers point to the high costs (political and substantive) of school failure and argue that a more hands-on approach is necessary to promote quality and protect students.

This paper outlines competing principles of charter school oversight and examines how those principles affect an authorizer's approach to finding and selecting new schools, conducting day-to-day oversight of performance, and responding to the threat of school failure.

Methods
To understand better charter school authorizers' philosophies and practice, the Working Group on Providing Performance Oversight studied 14 charter school authorizers across the country. We gathered information through semi-structured interviews with authorizing officials and, when possible, with

relevant third parties, such as charter school associations and individual school leaders. We also reviewed charter school policy documents, including application materials and other resources provided to schools.

Table 1
Charter Authorizers and Institutional Structure

Authorizer	Institutional Structure	Study Focus
Central Michigan University (CMU) Center for Charter Schools	State university	Monitoring and troubleshooting
Chicago Office of New Schools	School district	Building supply, monitoring and troubleshooting
City of Milwaukee Charter School Office	Municipal government	Building supply
Indianapolis Charter School Office	Office of the Mayor/Municipal Government	Building Supply, Monitoring and Troubleshooting
Los Angeles Charter School Division	School district	Building supply
Massachusetts Department of Education	State government	Monitoring and troubleshooting
Miami-Dade Charter School Operations	School district	Building supply
Milwaukee-University of Wisconsin	State university	Building supply
New Orleans Recovery School District	School district/state government	Building supply
New York City Office of New Schools	School district	Building supply
Philadelphia Charter School Office	School district	Building supply
State University of New York (SUNY) Charter School Institute	State university	Monitoring and troubleshooting
Volunteers of America (VOA) of Minnesota	Non-profit organization	Monitoring and troubleshooting
Washington, D.C., Public Charter School Board	Independent public board	Building supply, monitoring and trouble-shooting

Because the working group's projects on building supply (recruiting and selecting new providers) and on monitoring and school closure had somewhat different purposes, this paper draws from two distinct samples. The full set of authorizers is listed in Table 1. Out of a belief that charters with a local focus would be more likely to experience pressure to provide quality options for as many students as possible, the "building supply" portion of this study focused exclusively on charter school authorizers with a citywide (as opposed to statewide) jurisdiction. The study group focused on monitoring and school closure, by contrast, sought to include a wide range of public and nonprofit authorizers that had adopted a diverse set of carefully considered approaches to intervention and closure. In both studies, we selected authorizers to represent variation in size and resources, institutional structure, and their overall oversight mandate. All of the offices had authorized and overseen a number of schools, and most had closed at least one school.

Through these conversations, it became clear that authorizers have converged on several key elements of good practice. However, differences—both philosophical and procedural—remain.

Areas of Convergence in Charter Authorizing: Laissez-Faire Authorizing Is a Recipe for Disaster

A common thread in this working paper series is that charter school authorizing is a difficult task. Those who adopt a laissez-faire attitude, whether because of deep faith in markets or disinterest in charter schools altogether, are likely to encounter one of two problems. First, few or no prospective providers may emerge. The U.S. has traditionally provided public education directly, through school districts; as a result, few individuals or groups have experience in school management, or possess the broad range of managerial and educational skills necessary to run a self-standing school. Absent efforts to recruit or build the capacity of new school providers, few applications may emerge. This is especially likely in smaller cities, which lack a robust pool of local talent, or in those cities where per-pupil funding amounts are low. The case of New Orleans, which could not find enough charter school providers to educate all the city's residents in the aftermath of Hurricane Katrina, shows that even with aggressive recruiting, quality schools can be hard to find.

Second, even if many providers were willing to open new schools, a laissez-faire approach to screening or monitoring could result in a proliferation of poor schools rather than desirable providers. Careful oversight and real accountability are necessary for quality control. In many districts, demand for new schools from students is so high that even mediocre or poor schools can find enough students to stay afloat. The cases of Massachusetts and Chicago, neither of which took a laissez-faire approach, illustrate the challenges of school closure and the reality that the market, on its own, will not ensure quality control. In Massachusetts, Roxbury High School drew students and attempted to continue operation *even after* the State Department of Education had ordered it closed. Chicago, meanwhile, has met substantial public resistance to its Renaissance 2010 program, under which chronically failing schools are closed for a year and replaced with new academic programs. Public schools develop a significant following at the community level, both as symbolic anchors of a community and as real sources of jobs for adults and resources for children that go beyond academic training. In both Massachusetts and Chicago, bad schools eventually closed—but only because public officials were willing and able to expend political and procedural capital to make sure they did. Absent strong accountability oversight, the evidence suggests that failing schools like Roxbury High would have been able to attract students to stay afloat. Given the need for government accountability mechanisms, an entirely hands-off approach—whether in building school supply or supervising schools in operation— is unlikely to adequately promote quality even if it were desirable in theory.

In the effort to oversee schools responsibly, information is key. All the authorizers in our study agree upon the importance of a data-rich approach. They beefed up application requirements, requiring detailed educational and management plans to weed out schools least likely to succeed. When it came to monitoring, authorizers supplemented baseline measures of school performance, such as test scores, with regular site visits and/or supplemental statistical systems that enabled them to track growth trends or compare schools with similar student make-ups. A data-rich approach also helped authorizers move beyond a simple diagnosis of success or failure to identify underlying factors that might be at work. One explained, "[You can get] a much more robust picture of what's happening in a school by looking at it and taking a tiered approach." Data helped authorizers distinguish between schools that were struggling but improving and those that were incapable of improvement. Along these lines, one authorizer said: "It's interesting for us to observe the reaction of the board as we go through this analysis with them. Some boards are very well informed and others are not, and certainly the ones that are not well informed or haven't really understood their academic accountability plan goals, or how they were doing in relation to those goals, raise a red flag for us." What many cited as the ultimate factor in school closure—whether the leadership was able to address its own problems— goes beyond the measure of any single indicator.

While they agree on the importance of responsible oversight, quality authorizers can—and do—disagree about how closely they should work with schools. On the whole, authorizers are committed to respecting

school autonomy; however, not all define a proper balance between autonomy and engaged oversight in the same way. In the sections below, I explore these lingering differences, explaining how authorizers varied in their underlying definition of the job, and how those variations played out in practice.

Varied Definitions of Responsible Oversight: Two Primary Schools of Thought

As many authorizers have realized the dangers of a completely hands-off approach, the majority moved toward greater oversight and involvement. But debate continues among charter authorizers about the appropriate level of authorizer involvement in school affairs.

The differences between approaches to oversight are most evident in stated philosophy. Personnel in the charter offices tend to speak in very opinionated terms about the proper role of charter authorizers. The distinct philosophies also play out in actual oversight actions. In the following section I present "ideal types" of a hands-on and an arm's-length approach to show how authorizers differ in their stated beliefs and their overall approach to schools.[2] I explain the rationale behind each approach, and then show how the overarching approach influences behavior in three dimensions:
- the extent to which an authorizer invests in building individual relationships with schools;
- the aggressiveness with which an authorizer seeks out new providers or investigates school quality;
- an authorizer's willingness to prescribe specific changes in application proposals or school operations.

The Hands-On Authorizers

Advocates of a close, hands-on relationship with schools argue that the costs of failure are too high for authorizers to delegate fully responsibility for school performance. One authorizer explained, "We've kind of taken it on as a personal mission [to] figure out how to turn these schools around—what does it take?"

Those who favor a more active authorizing approach, whether in selecting new schools or overseeing them once they are in operation, cite five rationales:
- a thin market of new school providers;
- the fact that school quality is difficult to measure and codify;
- the difficulty of closing schools;
- the desire to promote learning across schools; and
- the need to build trust between authorizers and schools.

Quality charter schools are both very valuable and hard to find. In most cities, demand for new schools outstrips the supply, and even promising applicants show weaknesses in critical areas of financial management or governance (Destler and Page 2008; Squires and Rainey 2008). To meet the demand for high quality schools, therefore, hands-on authorizers suggest that they need to consciously recruit new providers and provide support services that help applicants fill in their gaps. Second, schools are difficult to close—leading some authorizers to try to turn schools around or "salvage their assets" rather than close the doors altogether (Kowal and Hassel 2008; Steiner and Hassel 2008). Furthermore, measuring school quality is difficult, and requires more than a spreadsheet with test scores. Hands-on authorizers build relationships with the schools they oversee to better judge school performance. Next, close relationships can facilitate learning, as authorizers share lessons of success at one school with another (or create institutional structures through which schools can communicate directly). Finally, hands-on authorizers suggest that close relationships are beneficial because they foster trust. Trust, in turn, eases communication about expectations and can improve alignment between an authorizer and its schools.

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[2] As "ideal" types, these positions should not be interpreted as the exact philosophy of any one provider. The next section highlights the complexity of authorizer behavior and stated philosophy once considered in practice.

Such an approach reflects ideas found in public and private sector management research and economic theory more generally, which suggests that relational contracting—a more hands-on approach—may be necessary when managing the production of complex or hard-to-find goods and services (Brown and Potoski 2004; Gereffi et al. 2005; Liker and Choi 2004; Williamson 1975).

Hands-on authorizers are "high touch": they foster close relationships with the schools they oversee. School quality is hard to assess from a distance, and judging whether an application has merit or a struggling school can improve often relies on gut-level intuitions that are easiest to make when you know the parties involved. One authorizer explained, "I think you can walk into a school in five minutes or less and get a good sense of if it's a good school. If it's not, you get a sense of where you need to start poking around and what kind of questions you need to start asking." By visiting schools frequently or engaging personally with school leaders and teachers, high-touch authorizers read between the lines and assess potential performance. Hands-on authorizers also suggest that mutual trust, one result of a high-touch approach, smoothes the way for difficult discussions or enables schools to take worthwhile risks. One explained, "Program managers work directly with the school, so when issues start to surface, in addition to feedback from the reviews of the schools, we're engaging in conversations and meetings with school leaders and board members." Such informal contact ensures that school leaders understand concerns about performance as they surface rather than being caught unawares at the formal review.

Hands-on authorizers are also proactive: they seek out new opportunities and try to nip potential problems in the bud. Proactive authorizers or school districts recruit. They reach out to promising CMOs or independent community groups to expand high-quality options, especially if they believe high-profile providers are unlikely to come to their city or state on their own. They monitor schools early and often, in order to minimize the damage from small problems that spin out of control. By noting concern about budget discrepancies early, for example, an authorizer might alert a school to revisit its financial planning before the school becomes insolvent. One authorizer explained, "We can almost smell [problems] coming. We're getting much, much better at identifying them early and intervening early before they become big problems." At the heart of this approach is an effort to preemptively act in order to minimize risks and reduce costs in the long run.

Finally, hands-on authorizers are willing to set explicit requirements and prescribe specific changes if they think doing so will help a school to improve. Relying on schools to solve their own problems is impractical and excessively risky, they argue. Given that many charter school applications have uneven quality, doesn't it make sense to offer management training or workshops in curricular development so that new schools can fill in the gaps prior to submitting an application? Furthermore, school closure, while perhaps clear-cut in practice, is messy and costly when it comes to actual students and organizations (one authorizer referred to it as "the nuclear warhead"). From this vantage point, prescribing reliable remedies is not only acceptable, but it is necessary in order to reduce harm for students. Finally, while school leaders may be the best judge of what is happening at any one school, authorizers' experience overseeing multiple schools over multiple years has exposed them to more and less successful improvement strategies at other sites. For that reason, "prescriptive" authorizers suggest that mandating particular governance structures or requiring specific changes in troubled schools may be the best way to maximize quality system-wide.

The Arm's-Length Authorizers

Some authorizers question whether the pendulum of charter oversight has swung too far toward regulation and centralization. They warn their colleagues not to become *too involved* when it comes to the development and oversight of autonomous schools. These "arm's-length" authorizers are eager to distinguish themselves from traditional school districts. One authorizer explained, "At the end of the day,

we can't turn these into *our* schools. If they are not autonomous, they aren't really charter schools."[3] For that reason, hands-off authorizers interact infrequently with school personnel and pay little attention to process indicators.

Authorizers commonly cite three benefits of an arm's-length approach: school-level innovation, authorizer flexibility, and objective evaluation. An arm's-length approach promotes innovation and taps into expertise at the school level by giving providers room to experiment. School leaders are more likely to take risks or try out new strategies if they do not have to report every change to a central authority. Second, an arm's-length approach can offer greater flexibility for districts (or authorizer level). The less authorizers invest in any one school, the lower the costs of changing providers. It is easier to close a school when an authorizer has not developed close ties to it or invested substantially in quality improvements. And, on a related point, arm's-length authorizers suggest that distance is necessary to objectively decide which charters to award and which to renew. From this vantage point, authorizers that are not vested in any particular schools or any particular approach are better able to judge academic performance, and to make the case that the schools are ultimately responsible for the quality of their own performance. Such an approach is closely aligned with assumptions of traditional markets and contracting practices presented in management research and economic theory (e.g., Anderson and Jap 2005; Friedman 2002; Gereffi et al. 2005), which advocates clear lines between contracting parties as a means to ensure objective evaluation and ultimately market fluidity.

Arm's-length authorizers are "low touch": they assiduously keep a distance from the schools that they oversee. While they take seriously their responsibility to monitor school performance, they seek out "data" that are readily measurable and, in most cases, quantitative. From the arm's-length authorizer's perspective, close relationships between an authorizer and its schools have the potential to undermine an authorizer's objectivity. School closure is difficult under any circumstances, but it may prove next to impossible if you know the parties involved and have grown to *want* them to succeed. And qualitative indicators, gathered through site visits or one-on-one contact, are costly to gather at scale. Close relationships might prove more feasible for small authorizers, who oversee a limited number of schools, than for large operations like the D.C. Public Charter School Board and Central Michigan University. When operating on a large scale, authorizers may choose to prioritize quantitative measures that allow them to compare schools' performance without spending too much time on any particular campus.

Arm's-length authorizers also take a patient, "wait-and-see" approach to finding new providers and monitoring school progress. From this vantage point, schools are most likely to reflect public demand when they emerge from the grassroots; parents and community members are the best judge of educational need, and an open market is the best system to meet that demand. Moreover, recruiting schools can imply a tacit commitment to supporting that school's opening, a commitment that authorizers want to avoid in case an initially promising program reveals trouble spots upon further review. For these two reasons, arm's-length authorizers see recruiting as unnecessary and perhaps even counter-productive. When it comes to school oversight, they try to avoid judging performance prematurely, out of a belief that early attention can undermine a school's autonomy and accountability for results. One explained, "I personally have a strong dislike for input conditions. I really think it's what the outcomes are that matters." Moreover, schools themselves are less likely to take potentially beneficial risks if an authorizer begins judging performance too quickly.

Finally, arm's-length authorizers are not prescriptive. They eschew offering direct advice or support to individual applicants or schools. Their approach is to minimize detailed requirements up front and, in the case of lackluster performance, "hold up a mirror" so that schools can choose an appropriate way to

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[3] Many of the arm's-length authorizers in our study acknowledged that schools needed support—however, they believed other parties, such as charter associations or other private organizations, were better suited to recruit and support schools (Destler 2008).

respond. From this perspective, authorizers best respect schools' autonomy and preserve clear-cut lines of accountability when they resist the urge to offer direct advice to schools. As one explained, "For me to say to a school, you [need to change the school's] leadership, is to start managing the school, and I'm not going to cross that line, because then we own the school, and we've essentially made the board totally ineffective." Furthermore, authorizers have limited capacity and, in many cases, multiple competing demands. Given such a situation, many argue, they are not the best judge of any particular school's problems. Prescribing a cookie-cutter approach to school improvement would hinder innovation at the school level and undermine performance. Finally, by avoiding direct advice, authorizers can minimize appeals from rejected applicants or schools with cancelled charters who might otherwise plea that they did everything that an authorizer asked them to do.

Neither Hands-On nor Arm's-Length: The Complex Reality of Charter School Oversight

While the philosophical distinctions between a proactive and reactive stance, or a high-touch and low-touch approach, may seem clear in principle, such differences become significantly muddier when put into practice. The reality discovered when surveying authorizers across the country is that few, if any, neatly fit into a clearly hands-on or arm's-length camp. Instead, the authorizers in our study existed along a continuum both in their actions and operating philosophies. First, in some cases, a gap existed between an authorizer's espoused philosophy and its philosophy as lived out in practice, e.g., an authorizer claimed to be hands-off but indirectly sought to bring in new schools or worked to improve lackluster performance. Second, authorizers were not always internally consistent across all aspects of charter recruitment and oversight. Many authorizers had a hybrid approach, alternating between hands-on and arm's-length depending on the oversight task. In the following three subsections, I discuss authorizers' approaches at three stages in the charter school life cycle: building supply (finding and selecting new schools), overseeing existing schools, and troubleshooting problem schools.[4]

Building Supply

Because a charter school system depends on an adequate number of quality schools to foster a market, I first looked at how authorizers approached the task of selecting new schools. Did they explicitly recruit new providers, and if so, where did they find them? What kind of application support did they provide for prospective school leaders who were trying to complete their proposals? How prescriptive were they in their application and selection criteria, and what did they do when schools met some but not all of the conditions for selection? Table 2 suggests some differences in how arm's-length and hands-on authorizers behave.

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[4] A description of the method used to classify each authorizer's practice can be found in the appendix.
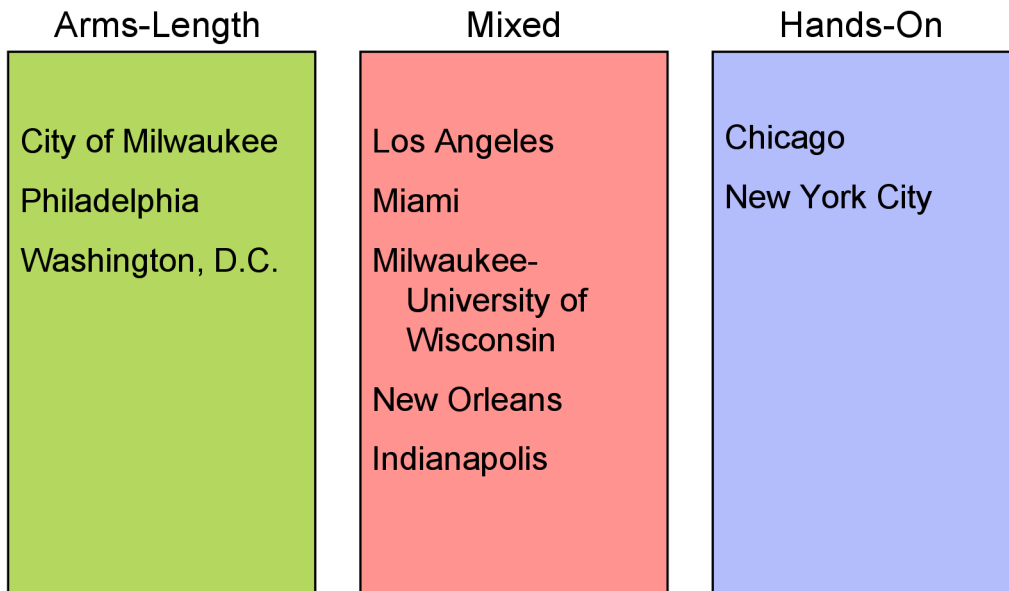
Table 2
Building Supply Tactics

Arm's-Length Authorizers May …	Hands-on Authorizers May …
• Let the market and neighborhood pressures determine who will apply • Avoid meeting personally with applicants to ensure objective evaluations • Limit application support to written material or general public information sessions • Create a streamlined application that focuses on the core requirements for running a school • When approached by applicants, offer clarifying statements about application procedures • Conduct a single-state application process; offer standardized feedback to explain the rationale behind a charter decision	• Identify areas of need and recruit local community talent or promising CMOs. • Meet one-on-one with prospective school leaders • Anticipate problem areas in school planning and offers workshops or other assistance to address them • Design an application procedure with very explicit and detailed requirements; walk applicants through the process if necessary • Create an iterative application process, where schools receive feedback which they apply to later stages of the application • Provide substantive, personalized feedback and offer promising applicants the opportunity to revise their applications for a second review

The findings in this section draw from interviews with ten charter school authorizers in nine different cities.[5] These authorizers varied in their approach to building school supply, as shown in Figure 1 below. When it came to recruiting and selecting new providers, Chicago and New York City were the most hands-on. Authorizing staff invested in knowing prospective providers well, whether by personally recruiting new providers, offering one-on-one consultations with applicants or interviewing the leadership team of each school. By contrast, the city of Milwaukee, the Philadelphia School District, and Washington D.C.'s Public Charter School Board kept prospective providers at a distance, choosing not to explicitly recruit new providers and relying largely on applicants' written applications to select new providers. While these arm's-length authorizers did in some cases hold information sessions and respond to applicant inquiries, they did not initiate much contact on their own. Finally, in a trend that carries into the other stages of the charter school life cycle, a plurality of the authorizers (Los Angeles, Indianapolis, Miami, the University of Wisconsin, and New Orleans) fell in the middle between the two extremes of arm's-length and hands-on.

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[5] As noted earlier in the methods section, the sample of authorizers interviewed for "Building Supply" is slightly different from that for the subsequent two sections.

Figure 1.
Approach to Building Supply

| Arms-Length	Mixed	Hands-On
City of Milwaukee Philadelphia Washington, D.C.	Los Angeles Miami Milwaukee-University of Wisconsin New Orleans Indianapolis	Chicago New York City

To some extent, the decision about how heavily to recruit was a function of the perceived need for new schools. Both New York City and Chicago had high-profile initiatives to improve school system performance by opening new schools and adding competitive pressure, and charter schools (despite the constraint of caps in both cities) were a part of city strategy. In Milwaukee, by contrast, one authorizer suggested that the ample number of quality schools submitting applications made recruitment unnecessary, and another believed that the early growth of school choice in the city had lessened the need for new schools.

Perceived need was not the only factor authorizers considered, however. In other cities, the decision not to recruit was based on philosophical principle, and authorizers resisted hands-on techniques even as they expressed a need for more schools. In Indianapolis, a city with a mixed approach, the Mayor's office took some initiative to match groups with complementary skills, in one case helping the local Goodwill Industries chapter to partner with the nationally known school provider, the Big Picture Company, to start the Metropolitan Career Academy. At the same time, officials avoided identifying particular areas of demand (such as schools in a particular part of the city, or those that served students with special needs) because they believed the market was the best mechanism to provide choice and meet community need. As one consultant who worked with the authorizer explained, "The office ultimately decided that since they were growing slowly, and they weren't going to meet all the needs, the best process was just to see what came forward, and look at the needs for that idea based on, and demonstrated by, what kind of support there was from parents or community members." From this vantage point, parents and community members, rather than government analysts, were the best judge of the demand for new schools.

When it came to helping applicants improve their proposals, some authorizers feared direct assistance would later undermine their ability to objectively judge a prospective school. As policy in the first year of charter development after Hurricane Katrina, New Orleans officials refused to talk to prospective school

leaders once an application had been submitted.[6] Chicago and Los Angeles, by contrast, often provided detailed advice to school applicants and encouraged them to revise their applications in response to authorizers' feedback. One authorizer expressed confidence that supporting applicants did not compel it to accept all applications, comparing the work of supporting prospective schools to that of raising children. "It's my job to urge my children to be the best that they can be. When they're not, I have to say, 'you need to study your history more.' I don't see a conflict in that. It has to be loving, it has to be fair, it has to be listening, it has to be open." Not all the authorizers in our study felt the same way, however. Washington D.C. had revised its application procedures to distance itself from prospective schools, believing that a "revise-and-resubmit" policy had familiarized authorizers with some school leaders to the point where they imagined improvements that were not already there.

Summing an authorizer's stance as hands-on or arm's-length, however, masks the fact that not all authorizers were consistent across the three elements described above. Figure 2 breaks down the supply-building behavior of three cities studied into the three subcategories discussed in the previous section: high-touch/low-touch, proactive/reactive, and descriptive/prescriptive.[7] While some cities, such as Chicago, were consistently hands-on or arm's-length, others developed hybrid approaches.

Figure 2.
Variation in Supply-Building Approach
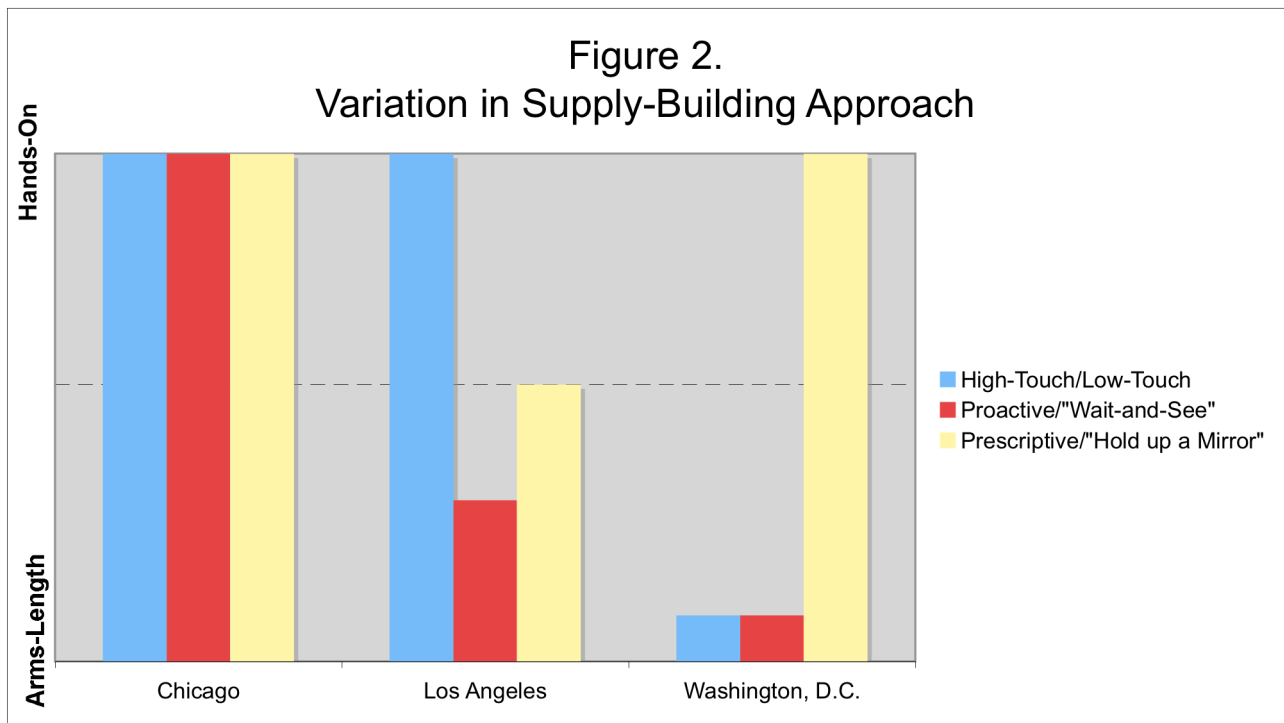
For example, as the cases of Los Angeles and Washington, D.C., show, being high-touch did not necessarily translate into other hands-on behaviors. Los Angeles, while relatively high-touch (meeting

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[6] More recent interviews with officials in New Orleans suggest that this policy has been relaxed.

[7] As described in the appendix, authorizers were evaluated as hands-on, arm's-length, or in-between on the basis of observed behavior. For example, hands-on authorizers took steps to personally meet and work with prospective school leaders during the application process, while arms-length authorizers maintained a critical distance and avoided close communication. Proactive authorizers identified specific community needs and/or recruited potential providers, while "wait and see" authorizers avoided recruiting new providers and/or providing detailed application support. Finally, prescriptive authorizers had more detailed application requirements than did "hold up a mirror" authorizers; applicants with hands-on authorizers often relied heavily on support to complete their applications, either from the authorizer or from third-party organizations.

individually with prospective schools and providing individualized advice), was largely reactive in recruitment and selection, making only limited attempts to recruit new providers or develop local talent. By contrast, while low-touch and averse to seeking out new providers, D.C.'s Public School Charter Board (PSCB) had highly prescriptive application procedures and selection criteria: applicants had to complete a long and detailed school proposal that covered many aspects of school operation in considerable depth. In Los Angeles's case, inconsistency was driven in part by limited resources. An authorizing official explained, "The office is still understaffed, and a lot of our work is more reactive than I would like it to be." Such a comment suggests that the authorizer would, given a larger staff, engage in more hands-on behaviors across the board. In D.C., by contrast, both low-touch relations and high levels of prescription were based in principle. PCSB officials had decided early on to design a rigorous application process to set a high bar for entry and reduce the risk of school failure, but scrupulously avoided close contact with applicants out of fear that doing so would either cloud their judgment or create the impression of favoritism. One explanation for the seeming inconsistency is that a highly prescriptive application is necessary to maintain high barriers to entry and quality expectations when the authorizer does not know applicants well.

Performance Monitoring
Authorizers were also surveyed about their performance monitoring procedures for schools. Did authorizers conduct site visits at every school, and if so, when and how often? What other kind of "data" did offices collect? How closely did authorizing offices examine school performance in the years before a school's charter was up for renewal? The authorizers in our study varied substantially in methods of oversight: their investment in relationships and quality data, their use of preventative oversight, and their willingness to make direct recommendations. Table 3 highlights differences in oversight strategy between the two general types of authorizers.
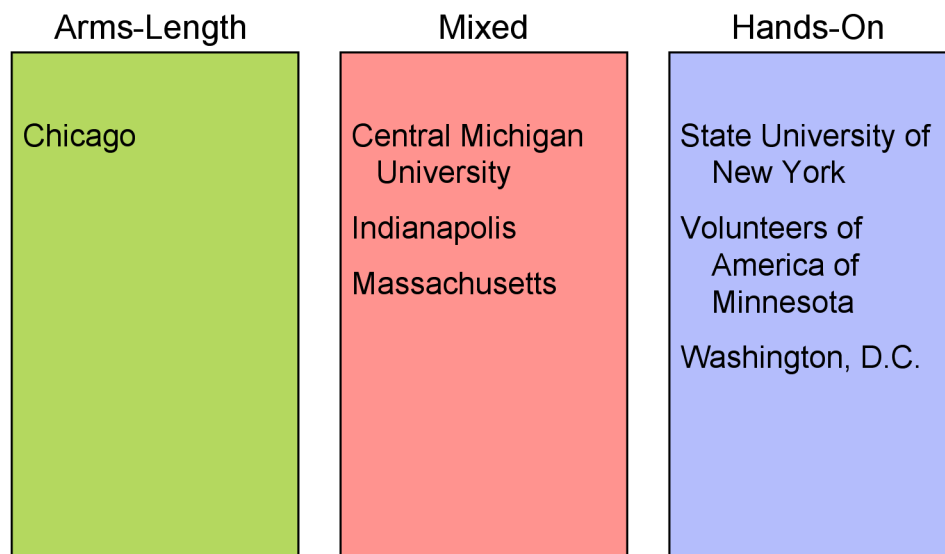
Table 3
Performance Monitoring Tactics

Arm's-Length Authorizers May …	Hands-on Authorizers May …
• Rely heavily on standardized measures and quantitative measures to assess school performance • Communicate largely through formal channels and written reports • Allow schools to get programs up and running before evaluating performance • Be available to answer questions but avoid interfering too often in school operations • Point out problem areas during formal review sessions but avoid prescribing particular changes • Consider referring schools to outside agencies for additional support	• Conduct frequent site visits • Communicate frequently with school leaders and/or board members, either in formal meetings or through informal channels • Monitor performance early and often, even before opening day • Assign specific staff members as point people to work with individual schools • Request detailed information from schools starting in the first year about student outcomes and financial performance • When areas of concern arise, provide direct support or advice based on strategies used in other schools

The sample of authorizers interviewed for this section and the subsequent discussion of troubleshooting included both city-level and statewide authorizers. Figure 3 summarizes where each fell on the continuum of monitoring. When it came to focusing on qualitative indicators and investing in relationship-building, interviewees fell almost evenly into three groups: high-touch, low-touch, and mixed. High-touch authorizers conducted regular site visits, at least annually and often multiple times a year. They also met regularly with school leaders, and in many cases paired matched schools with particular staff members to foster clear communication and build relationships. Those who did so suggested this increased

communication helped them to make a more nuanced assessment of the school. One explained, "Site visits are really important. You can get a feel for whether a school is grappling in a productive way or just lost—look at organization, staff development, teacher-principal relations—crucial but not always quantifiable." Several authorizers also suggested that qualitative interactions—whether through site visits or conversations—allowed them to cross check impressions they had gathered from other sources. For example, one held conversations with school leaders immediately after a site visit, so that school leaders had a chance to clear up misconceptions or explain the mitigating circumstances behind any areas of concern.

Figure 3.
Approach to Performance Monitoring

Arms-Length	Mixed	Hands-On
Chicago	Central Michigan University Indianapolis Massachusetts	State University of New York Volunteers of America of Minnesota Washington, D.C.

Close interactions also served to foster trust and a sense of common purpose. Even one of the least high-touch authorizers in our study acknowledged the importance of relationships. He explained, "We've worked much harder at the relationship so that people don't view us as the police. We really try to build the relationship where people will tell us what's going on, or what they're thinking about ahead of time. Through those types of mechanisms, we've been able to get better feedback and better intelligence, and we've been able to put that together and make a picture of what's going on."

For the low-touch authorizers, information about schools came largely from quantitative indicators. Both Chicago and Central Michigan University had invested heavily in data management systems that enabled them to compare a school's performance with that of schools with similar demographics, and for each of these authorizers, monitoring student achievement and other quantifiable indicators (such as enrollment and turnover statistics) seemed to play a larger role in identifying trouble spots or evaluating how well a school was doing.

Schools also differed in the extent of their "preventative" oversight, though most fell somewhere between the two extremes. With regard to performance monitoring, one of the most proactive authorizers explained, "The institute's perspective—we tend to be more of a 'Let's preempt it' as opposed to 'Let's intervene in it once it has occurred'." Authorizers in this office began monitoring performance literally before opening day: "In order to detect problems with opening and the ability to implement the educational program on day one, we do a "prior action" visit. If they don't fulfill those requirements we

can, one: delay the opening of the school, and two: ultimately take their charter away." At least one other authorizer conducted similar pre-opening visits, and a third, Chicago, was proactive in a different way, offering new school leaders financial and organizational "incubation" support to facilitate planning once a charter had been awarded.

Others delayed formal reviews to give schools a chance to develop their programs, or because capacity constraints made more frequent information gathering difficult. One authorizer explained, "I personally have a strong dislike for input conditions. I really think it's what the outcomes are that matters." Her concern was that focusing excessively on school process could undermine a school's flexibility and autonomy and make accountability decisions more difficult further down the road. Even in this case, the authorizer did monitor some process indicators. For example, it noted warning signs such as parental complaints, negative media coverage, or teacher concerns about administrators, though it did not solicit such information directly.

Finally, authorizers varied in their willingness to offer recommendations or prescribe specific changes. On the whole, those who were willing to prescribe changes appeared to intervene most frequently when it came to concerns about school leadership or governance structures. One authorizing office maintained a list of potential board members to match with schools that needed to boost expertise in a particular area. Another recognized that sound governance systems were often the hardest school component for educators to produce, and developed a standard set of bylaws for boards to adapt to fit their particular context. From this authorizer's perspective, his office had expertise that could be shared with one of their schools, even if that school ultimately had to perform the operations itself. "Our fundamental philosophy is that we teach them how to fish, we don't fish for them. We believe that it's very important for us to inform and educate before we oversee and enforce."

Others, however, suggested that "to inform and educate" risked undermining the autonomy of schools that were supposed to be self-sustaining and ultimately different from district-run schools. "It's not our role to go in and tell the board, 'Hey, you have to fire this person.' " From that authorizer's perspective, it was the school's board, and not the authorizer, who should ultimately control operational decisions. Another cited the constraint of state law when explaining why her office would never prescribe particular changes. In the case of this state, schools that faced closure had the right to a hearing in which the burden of proof lay on the authorizer. She noted the risk of advice coming back to haunt her. "If the school failed and I tried to help and they still failed, they [could] come to a hearing and say, 'Well, you told us what to do, we did it, and now you're closing us.' " From this perspective, a prescriptive approach undermines accountability by making it unclear who is ultimately responsible for school policy and student achievement.

As with authorizers' approaches to building school supply, the nuanced oversight behavior of most authorizers in this study belies the notion that an office is either hands-off or arm's-length. With the possible exception of Minnesota's Volunteers of America authorizer, which was largely hands-on, and Chicago's accountability office, which was largely arm's-length, none of the authorizers was consistent across the three indicators described above. For example, Central Michigan University was one of the most low-touch authorizers in the sample but also one of the most prescriptive. The Massachusetts Department of Education was very hands-off when it came to offering advice, but was nonetheless more proactive when it came to visiting schools early and keeping an eye out for warning signs. One way to make sense of these contradictions is that authorizers, all of whom valued school autonomy, each selected a small bundle of tactics that would enable them to keep an eye on performance. In reality, even the most arm's-length authorizers were not fully hands-off. While prioritizing school's autonomy and distancing themselves from traditional school districts, they took their responsibility of monitoring school quality and protecting the welfare of children quite seriously. As a result, the actual practice of the authorizers we studied suggested a delicate balance between the desire to let schools innovate and act freely and the need to exercise due diligence and monitor quality carefully.
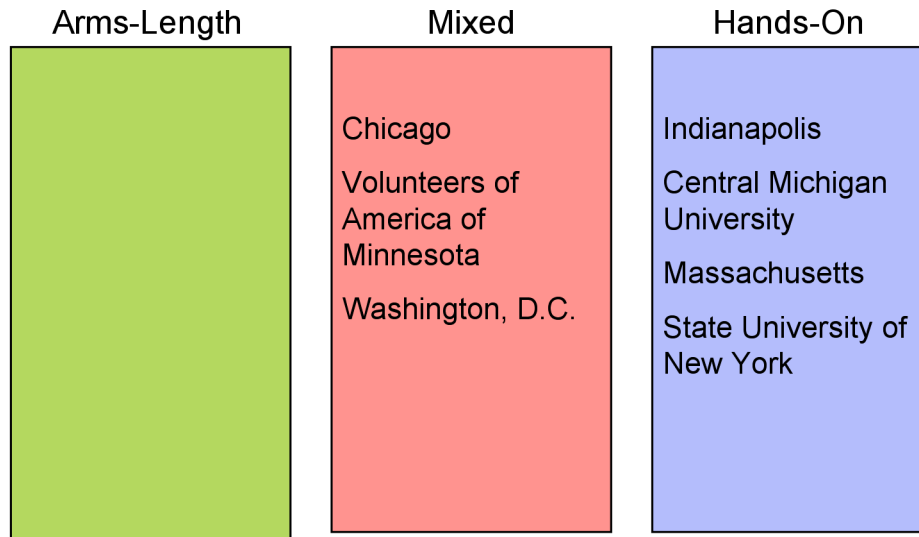
Troubleshooting

Finally, we looked at authorizers' troubleshooting approach: how, if at all, they responded to schools with significant problems. If an authorizer believed that a school was at risk of having its charter revoked or not renewed, how soon did it communicate such concerns with the school or other interested parties and what form did this communication take? Was information conveyed in an informal way (e.g., through phone calls) or a legalistic way (e.g., through formal notices) of the need for improvement? And, in the most challenging schools, how willing were authorizers to take dramatic, prescriptive action—mandating changes to the board, alterations in a school's charter, or adoption of specific curricula? Table 4 lists concrete ways in which hands-on and arm's-length authorizers might differ in how they responded to struggling schools.

Table 4
Troubleshooting Tactics

Arm's-Length Authorizers May …	Hands-on Authorizers May …
• Avoid commenting directly upon school performance until a charter is formally up for review • Use formal channels to communicate areas of concern • Focus on adhering to "due process" to ensure that the rights of the school and the authorizer are preserved • Renew charters for a limited period of time; will not prescribe particular academic or operational changes	• Try to catch problems when they are still in the formative stage; report back regularly to school • Conduct close interviews with school leaders to gauge their willingness and ability to improve • Report back regularly to schools, evaluating incremental improvement or additional areas of concern • Intervene aggressively in school operations in schools whose performance is inadequate • Renew charters under the condition of specific academic or operational changes (e.g., adoption of a new curriculum; appointment of a new leader or reduction of a school's size)

Figure 4 summarizes the authorizer's overall troubleshooting approach. Not surprisingly, virtually all of the authorizers in our study were more hands-on when it came to struggling schools than they were in their general oversight. In fact, even the authorizers that had espoused the most hands-off philosophies became more hands-on when it came to schools at risk of failure. When signs of trouble emerged, a majority of the authorizers reached out to school leaders, both to communicate concerns and gauge the school's hidden strengths or potential to improve. One authorizer explained, "We're getting much, much better at identifying [problems] early and intervening early before they become big problems. Over the years, we've had big problems that, if we [had] cut them off sooner, wouldn't have grown so large." That authorizer developed a complex risk assessment system, where records of leadership meetings and student performance were systematically analyzed to keep an eye out for worrisome trends. Other authorizers, while similarly proactive, took a more personal, less formal approach to troubleshooting, using regular site visits to assess schools' performance and increasing their frequency when schools appeared to be in trouble. One explained, "In five minutes you know if it's a good school. You're scanning the environment: Is it dirty? Is it clean? Is there stuff on the walls? There are just a lot of different cues." For this authorizer, troubleshooting relied heavily on intuition and inference. One prominent rationale for a proactive approach was the need to protect the public interest and serve children well. As one authorizer put it, "We don't want to find kids floundering for several years as schools try to figure it out." Philosophy was one thing; when the rubber hit the road, it was the need to serve children that mattered.

Figure 4.
Approach to Troubleshooting Schools

Arms-Length	Mixed	Hands-On
	Chicago	Indianapolis
	Volunteers of America of Minnesota	Central Michigan University
	Washington, D.C.	Massachusetts
		State University of New York

Beyond seeking to nip problems in the bud, many authorizers also increased personal contact with school leaders in an effort to build trust. Trust not only facilitated communication about complex matters, it also made bad news easier for schools to receive. One authorizer explained, "Even the schools that we ultimately ended up not renewing have actually said, 'Thank you for your accuracy and professionalism,' and I think it's important to note that." Another noted that trust had strategic value, explaining, "You're probably going to get a better response if you try the softer approach first. You know, the whole bees and honey thing."

Almost all the authorizers in our study expressed a need to know troubled schools well so that they could assess leaders' willingness and ability to improve. As an Indianapolis authorizing official explained, "The strategy we have used and use is to really determine who it is at the school who is most likely to be responsive to our concerns and able to make changes, and explain to them in very honest terms that the school has a problem and that it needs to be addressed. And whether that's with reporting, with the academic program, or whatever, it's … we just try to be extremely honest with the person who is most able to effect change at the school." Trust is an important element of the honest communication necessary for substantive change. And in many cases, the decision to close a school was based on authorizers' recognition that school leadership could not be trusted to take problems seriously or turn schools around. One noted, "The schools closing are schools where it involves a culture of corruption." Such assessments are difficult if not impossible to make unless authorizers engage in substantive communication with the schools they oversee. And for that reason, even low-touch authorizers often made efforts to know a school's leadership or governing board well if they thought a school had run into trouble.

Most authorizers were mixed when it came to the question of whether to mandate strict conditions under which troubled schools could remain open. The stakes in such a decision are high—both for the success of the charter school model and movement, and for the immediate well-being of students and adults in schools. Said one authorizer, "We take [renewal decisions] very seriously and spend a significant amount of time [making a decision]. It's not easy. You know it affects a lot of children, their families, people's jobs, and you have to deal with that." About half of the authorizers interviewed indicated a willingness to intervene aggressively in low-performing schools and half had issued conditional renewals, but on the

whole, many seemed conflicted about how to balance school autonomy and the needs of the students. The danger in intervening too much was that, at a certain point, schools may not have the capacity to perform well even with substantial outside support. One authorizer explained that in some cases sustained mismanagement made rehabilitation impossible: "You wake up and say, 'Well, the sins of the past have damaged [the school] so much that the best board in the world cannot recover from it …' " At such point, even this authorizer, one of the most closure-averse in our study, would likely not renew a school's charter.

One authorizer distinguished between academic and non-academic matters, indicating that conditional renewals were permissible as long as student performance was sound. In other words, prescribing process changes was acceptable so long as the processes being prescribed were not central to the school's academic mission. Others tried to manage this balance by connecting struggling schools to outside organizations that could offer more direct help. One explained, "If the school needs help with finding someone to come in and do an academic audit of some kind, or do coaching, or whatever, we can help try to facilitate that. What we don't do is we don't want to take too active a role where we're taking away the school's autonomy and running the school, so we—I think what we try to do is respond to the school's problem. If we can get them together with someone who can provide the type of service that they need, we'll do that." By limiting the kinds of prescriptions they make or by delegating direct support to a third party, these authorizers sought to find a balance between letting schools founder and undermining schools' independence.

Overall, the authorizers interviewed agreed that severe warning signs at a school demanded action on the part of the authorizer. None adopted an arm's-length approach when it came to decisions about closure or conditional renewal. However, authorizers did disagree about what interventions were necessary and which ones constituted micro-management. At the heart of this debate were underlying beliefs about the relative costs of school closure and the relaxing of core assumptions about what it meant to be a charter school.

Classifying an Authorizer's Approach: Not So Simple in Practice

Differences in authorizing philosophy and authorizer practice certainly do exist. Some authorizers have attempted to maintain their distance from the schools they oversee, resisting public pressures to intervene early, get to know school leaders well, or offer direct consultations. Others have invested heavily in more hand-on approaches, fostering strong ties to schools through frequent communication and site visits, developing rigorous systems of review and diagnostic evaluation and actively sharing lessons learned from other schools.

Not all authorizers fit neatly into either the hands-on or hands-off boxes, however. While the distinctions between oversight philosophies appeared clear-cut and sound as authorizers articulated their core beliefs, the distinctions proved much more fuzzy in practice. Despite contrasting statements about the role of oversight in promoting school quality, clear distinctions were difficult to find across authorizers and single authorizers were not always consistent across the various stages of the life cycle.

An authorizer's approach is more than a matter of personal philosophy. Organizational resources, organizational history, and legislative mandates all influence how authorizers define their role and what tasks authorizers are willing to undertake. For example, one authorizer that espoused a largely arm's-length philosophy nonetheless ran an extensive program to help schools improve their governance structure. The governance program had previously been run by a charter school resource center, but when the charter resource center folded, the authorizer took the program up, believing it too important to lose. In this case, the authorizer openly admitted that the program was one theoretically at odds with its principle of oversight; however, the value of the program outweighed the need for the authorizer's internal consistency.

Furthermore, many authorizers espouse different philosophies and behave differently at different stages in the charter school lifecycle. Chicago, for example, is very proactive and prescriptive in building supply. The office recruits new schools heavily and works with them closely to assess their future capacity and make them the best applicants possible. Once schools have opened, however, Chicago's stance becomes more hands-off. The district has limited resources for site visits and predominantly takes a reactive posture, intervening and getting to know schools only once a serious problem has emerged. Washington, D.C., has taken an opposite approach, holding prospective schools at arm's length during the application phase but communicating regularly and investing in their capacity once they had opened.

Internal inconsistency is not necessarily *wrong*. To point out such inconsistencies does not imply that authorizers' philosophies are superficial or their decisions poorly managed. In fact, a "inconsistent" approach can have benefits. By varying their approach at different stages in a school's life cycle, some authorizers individualized their approach to maximize the benefits from more active behavior and to minimize risks. Moreover, beyond questions of principle, most authorizers are small operations with very real organizational limits. Given resource constraints, they may have to decide where "hands-on" resources are most appropriately spent; even if a fully hands-on approach would be desirable, it would not be financially feasible. Such calculations may be behind the areas of convergence witnessed across authorizers. For example, virtually all the authorizers surveyed had a hands-on (or at least somewhat hands-on) approach when it came to schools in distress. This likely reflects the shared concern that, even if autonomy is to be cherished and protected, the costs of both school failure and school closure are too high for authorizers to take lightly.

Conclusion

Quality authorizing has emerged as a critical element of charter school success. All the authorizers in our study agreed that the challenges of successful school operation and the consequences of school failure were too high for a fully hands-off approach. Despite this consensus, however, quality authorizers continue to debate just how much they should intervene in struggling schools or seek to "manage the market."

Although many authorizers described the distinction as one between a hands-on approach and an arm's-length approach, such a dichotomy does not fully capture the variation in authorizers' attitudes and behaviors. For example, Central Michigan University was low-touch but often quite prescriptive in its counsel to schools. The Charter School Institute at SUNY, by contrast, was high-touch, investing resources in order to know schools personally and foster deep trust, but not advising schools on how to solve their problems. The terms "hands-on" and "arm's-length" describe such approaches incompletely at best, and describing either authorizer as "mixed" in its approach obscures their real differences.

Overall, authorizers did not exhibit a consistent approach across all stages of the charter school life cycle. That said, less variation could be found in certain stages of the charter school life cycle than in others. For example, very few authorizers could be described as "reactive" in their oversight anymore, and more generally, none of the authorizers stayed at arm's-length when it came to troubleshooting problem schools. This finding likely reflects both the legal challenges and the high costs of school closure.

To say that the hand's-on/arm's-length dichotomy is an overly simplistic way to classify variation in authorizer approach should not imply that such distinctions are meaningless, nor that considering the competing risks and benefits of each philosophy is wasted effort. In fact, authorizers themselves may find

such a framework useful both to help build a cohesive mission (to decide what "kind" of authorizer they want to be) and to define what responsibilities they are and are not willing to take on.[8]

As noted in the introduction, charter school authorizing itself is a work-in-progress, and the approach of each authorizer in our study continues to evolve. As a snapshot portrait, this paper does not fully address how and why (if at all) authorizers moved to more hands-on approaches. Further research is needed to shed light on how learning has contributed to the development of authorizers' approach. Perhaps even more importantly, though some areas of consensus have emerged in authorizers' philosophy and approach, examining *which* approach or approaches best contribute to charter school success is beyond the scope of this paper. Both a hands-on approach and an arm's-length approach carry risks and opportunities, and reflect not only the internal dynamics of particular authorizing offices but the external legal and educational context in which each one operates.

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[8] In fact, a preliminary version of this framework was used to develop an informal self-study survey and to promote discussion about competing authorizer approaches during the 2008 annual meeting of the National Association of Charter School Authorizers.

Appendix

Procedure for Coding Responses and Classifying Authorizer Practice

Authorizer practice was coded and classified as "hands-on," "arm's-length," or "mixed," according to the actual tactics used by each author rather than by their espoused philosophy or approach. Authorizer tactics were evaluated at each stage in the charter school life cycle; each approach was broken down into three subcategories: high-touch vs. low-touch; proactive vs. "wait and see"; and prescriptive vs. "hold up a mirror." The overall summary of the approach in Figures 1, 3, and 4 is a composite of these three subcategories.

The actual authorizer tactics are listed below by charter oversight stage and by subcategory. Authorizers who used many hands-on tactics and few arm's-length tactics were labeled as "hands-on"; authorizers who used many arm's-length tactics and few hands-on tactics were labeled as "arm's-length"; and authorizers who used few tactics or a combination of both tactics were labeled "mixed."

Building Supply

	Arm's-Length Tactics	Hands-On Tactics
High-Touch vs. Low-Touch	Reduction of regulatory barriers to create a desirable authorizing environment Communication of application expectations exclusively through written materials or public information sessions Standardized feedback on charter approval decision	Personal recruiting (e.g., meetings with CMOs in other cities) One-on-one consultation with applicants Substantive, personalized feedback Interviews with prospective school leaders
Proactive vs. "Wait and See"	Lets the market and grassroots pressures decide what applicants will emerge Answers questions from applicants but does not send out information One-stage application process	Identifies areas of need; recruits promising models Anticipates problem areas in school management and offers targeted workshops or other assistance to address them Multiple-stage application process, with opportunity for applicants to respond to feedback and revise their applications
Prescriptive vs. "Hold up a	General, open-ended application focused on the core	Very explicit and/or targeted

Mirror"	aspects of charter school oversight Holistic application review	RFPs Very detailed charter application requirements; applicants offer require assistance to complete it Opportunities for applicants to revise and resubmit their applications

Performance Monitoring

	Arm's-Length Tactics	Hands-On Tactics
High-Touch vs. Low-Touch	Focus primarily on quantitative measures and student outcomes Communication largely through formal mechanisms—written reports at particular performance review dates	Frequent site visits (more than once a year) Regularly meets or communicates with school leaders Authorizing staff member assigned as primary contact for individual school
Proactive vs. "Wait and See"	Allows a grace period before performance reviews begin Passive monitoring of feedback from parents or other sources Primarily relies on school to initiate contact when questions or problems arise	Begins monitoring performance and providing resources before opening day Requests information on process indicators and preliminary student outcomes early and often Communicates informal assessments regularly with school leaders and/or board members

Prescriptive vs. "Hold up a Mirror"	Offers a detailed description of school practice but seeks to avoid normative evaluations May refer schools to outside agencies for support	Offers direct support and/or advice to schools about managerial and/or academic programming decisions

Troubleshooting

	Arm's-Length Tactics	Hands-On Tactics
High-Touch vs. Low-Touch	Carefully observes due process to ensure that policies are followed and schools' rights are observed Avoids offering particular suggestions about how schools can or should improve practice	Close interviews with leaders and staff to gauge willingness and capacity to improve Provides additional support in-house or connects schools to a carefully-chosen external partner
Proactive vs. "Wait and See"	Primarily communicates concerns when school is up for formal review Limits close monitoring to compliance with state and federal statutes	Tries to catch problems while still in the formative stage Reports back frequently to school when problems emerge.
Prescriptive v. "Hold up a Mirror"	May renew a school's charter for a limited period Unwilling to issue conditional charter renewal Will close a school rather than intervene directly in its mission or daily operations	May renew charter with conditions—e.g., require a change in leadership or adoption of a new curriculum Aggressively intervenes in a low-performing school to avoid having to close it Willing to close a school as a last resort.

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