California Charter Schools Association Annual Convention Remarks
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March 14, 2016

Thank you for coming to this day about authorizing. It's such an important topic and I find that every time I get together with my fellow charter school authorizers I learn something new. We face similar challenges. Each of us are solving those challenges in different ways. There's a tremendous amount of experimentation going on now in the authorizer community, and from that experimentation comes lessons learned. I'm eager to learn a lot from you today.

Charter schools are about 25 years old, as is the role of charter school authorizing. Like so many things today, the job we all do literally didn't exist a generation ago. We are all part of a new profession. It's a profession that is still in its adolescence.

And a key thing I want to communicate today is around this word: profession. We are all part of a new profession. And we all have a responsibility to shape this profession, to make it something that furthers the objectives that we all share: that all students receive an excellent education that prepares them for a successful and happy life, allows them to contribute to our modern economy, and makes them thoughtful and engaged participants in our democracy.

The profession of authorizing can evolve in many ways. Some of those ways can allow charter schools to reach their potential to be a positive force to improve public education and to provide families with quality school choice. Some of them will not. If we don't do our job right, if we allow authorizing to get on the wrong track, we will face one of two outcomes. Either the hand of our oversight will be so heavy that we crush schools with compliance and reporting, rendering them little different from the traditional public schools they were supposed to innovate on. Or our oversight will be so light that crooks and charlatans and terrible quality schools can thrive on the public dime – generating scandal and diluting the results of the good actors so that charters are associated not with quality and innovation and choice but with mediocrity and fraud. We all need to do our part to ensure that authorizing evolves in the right way.

Good authorizing is part science, but a lot of art. It's an art to find the right balance – to be tough on quality and equity issues but gentle with school leaders. It's an art to find the right way to oversee this new kind of school – this hybrid that is part public, part not-for profit. Often led by brilliant and dedicated leaders, most of them have

real areas of strength and real areas of weakness. The autonomy, the freedom of action, the ability to respond quickly, the freedom to direct resources toward learning are the hallmarks of charter schools. They are the necessary condition for their success. As authorizers, we need to respect and honor this unique characteristic, to nurture these schools to be their best, even while we must do a better job of driving charters toward quality.

I think the reason California Charter Schools Association (CCSA) asked me to address you today is because over the past four years in Washington, DC we've been struggling with finding this balance, with navigating between being too loose and too tight. But we've had some successes. In the four years I've been the authorizer in Washington, DC, we've closed one out of every eight charter schools; we've brought expulsions by charter school down by 2/3; charter schools now serve about the same percentages of students with disabilities. Charter school academic performance has risen every year. And yet we have reduced our oversight burden on schools; schools generally consider us to be respectful of their autonomies, and most school leaders look at us as champions of their success.

So how have we done it? What are some lessons that can be drawn from our work? Today I want to talk about six lessons, or principles, that I've drawn from the last four years. I recognize you come from all sorts of different organizations – some large and well resourced, and some very small. But I hope there are some lessons relevant to each of you.

I want to talk about six lessons:
1. Accountability framework
2. High impact, low burden tools
3. Differentiation
4. A focus on charter school boards
5. Listening to schools
6. Advocating for schools

The first lesson is the foundation of having a super clear accountability framework.

It's extraordinary to me how powerful really strong accountability systems can be. I suppose it's basic human nature: people want to know what the standard is, and how they measure up to it. The more you can make it clear to your schools what your standard of excellence is, the more they will focus their energies on achieving that standard.

I really do believe you can drive great results by setting clear accountability targets. In DC our main accountability tool is called the PMF or Performance Management Framework. We rate every school on a scale of 1 to 100 based on academic growth, test proficiency, attendance, and reenrollment, and other things if you're a high school. If you get a score of 65 or more you're labeled a Tier 1 school and below a 35 is a Tier 3 school. We designed a Tier 1 logo and many of our Tier 1 schools make giant banners that they hang from their buildings.

Becoming a Tier 1 school has become really important to our school leaders – so they focus intently on the components. It's a great way for an authorizer to drive school behavior without interfering in the school. You set the standard through the design of your performance framework, and watch the schools orient themselves to it.

Clear accountability also extends to charter renewals. We are completely transparent on the standard for renewal, so schools know exactly what they need to do to get renewed. And guess what – that influences where they put their energy.

What's more, if you make it really clear and publish the results, parents will respond as well – they will select the schools you say are good. And that helps drive quality too, because more people will go to the schools you say are good. We print and distribute 25,000 copies of our parent guide that lists every school by tier. We see long waitlists for our Tier 1 schools, shorter waitlists for Tier 2 schools and lots of empty seats in our Tier 3 schools. Schools that might have been tempted to ignore our PMF can't do it when every parent is walking in their door asking if the school is a Tier 1 school.

The second lesson of our work is rooted in our quest to reduce burden on our schools while keeping our oversight standards high. It's to search for high impact – low burden oversight.

Let me give you an example. We had an issue with widespread complaints that charter schools turned away students with disabilities – discouraged them from applying; suggested they couldn't be served well at their school.

What could we have done? We could have done all kinds of really heavy handed things. We could have required all schools to develop a staff training program. We could have done audits of our schools. We could have developed our own training program and required all of the schools to go through it.

Instead we did something even more powerful. We launched a mystery shopper program. Our staff called schools posing as parents of students with disabilities and asked how they'd go about enrolling. And they recorded the results. Now we didn't play gotcha. We let the schools know about a month before that we were going to do this so that they would be on their best behavior. In the end, we caught very few schools; but we did see a big jump in the number of students with disabilities attending charter schools.

So this policy, which imposed no burden on schools, has had a tremendously high impact on promoting our equity agenda.

Here's another example: before I got there we used to have this really burdensome audit of the schools – we'd review all of their curriculum, interview the teachers, require binders and binders of lesson plans. Now we don't do that. We send our staff to observe classrooms. Because after all, what's more important – that the school have detailed lesson plans, or that the quality of teaching in the school is strong?

Here's a third example: schools send us their audited financials. That's pretty easy for them. Then we analyze them. We look at key ratios of school health, like days of cash on hand and current ratio. We look to see if the auditor found material deficiencies. And based on this we rate schools as strong, moderate, or weak financially. The burden on the schools is incredibly light. They just ship us their audit, and if they are a strong fiscal performer, that is the end of it. But the impact of our fiscal rating is very high because we then focus in on the weak performers.

And that leads to the third key lesson: the importance of differentiation. In some ways, we treat all of our schools the same. They are held to the same high standards. We do the same careful review of all schools every five years.

But in other ways, we find ways to lower the burden on our high performers. After all, they have demonstrated that they can produce great results. Why do we need to use our precious resources – and theirs – on extra oversight?

Of course, a high performing school academically might be a low performer fiscally. For a school like that may only send people to observe their classrooms every five years, but might require that they provide us with financial statements every month.

Here's the biggest way we differentiate. We make it very easy for our highest performing charters to add students and to add more schools. It's like a five-page form. And we make it nearly impossible for our low-performers to do so. Because what's our ultimate goal? We want more kids going to great schools.

And that brings me to our fourth learning: A focus on school boards.

From 2002-2008, I served as the board chair of a public charter school here in California. And probably nothing else prepared me for my service as an authorizer than this experience. We operated in five different jurisdictions, with five different authorizers; so I saw firsthand how a good authorizer could be a partner with us to improve, and to serve their kids, and how others could literally kill us.

One experience stands out. One of our schools was coming up for our five-year review and the authorizer asked to meet with me. I said, "sure." What could be wrong? I had been told that everything at the school was going fine.

The meeting was a shock. The authorizer was seriously considering not renewing our charter. How could this come as such a surprise to me?

That experience taught me a key lesson. Charter school boards are one of an authorizer's key constituents. They run the school; they hire and fire the school's executive director. They are the ones who can take action. But all too often boards are blissfully ignorant of what's going on in the school they oversee. They get 100% of their information from the school leadership, who has a vested interest in passing on only good information.

So we pay a lot of attention to school boards, and make sure they get clear information on how their schools are doing. On our accountability framework, our PMF, we actually list the board chair, right at the top, to reinforce that they are responsible for the outcomes. And believe me, every board now can tell you whether their school is a Tier 1, Tier 2, or Tier 3.

We created something called Equity Reports, which shows detailed information about a school's academic performance, suspension rate, withdrawal rate, enrollment, and attendance, all compared with city averages. Now a board knows if the school is suspending its African American students at three times the rate of its White students, or if the academic growth rate of its special education students lags

behind the city average for this population. We give the boards the tools they need to effectively manage their school.

This focus on school boards led to another practice we started a couple of years ago: board to board meetings. The idea is simple. If there's anything troubling about a school's performance, we bring their board in for a private meeting with our board. For example, if a school's performance doesn't merit renewal, we will have a candid conversation with their board two, even three years before their renewal, so that they can respond. If a high flier has a stumble, if we see troubling data about a school's special education students, if a school's suspension or expulsion rate is off the charts, we'll bring their board in.

I've been surprised how many times these board to board meetings can produce real changes in a school's trajectory.

These conversations aren't just one way. They are conversations, and that's the fifth learning I have. How important it is to listen to schools.

Authorizers are really, at the heart – a new type of regulator. And over the years, regulators in many industries and in many countries have developed well-established ways of being sure they understand, and consider, the impact of their regulation. When I worked for the federal government, any new regulation was first proposed and published in the federal register; then people commented on it, and then we were required to consider those comments before finalizing the regulations.

Most authorizers aren't under such a strict regulatory regime. But the basic idea is sound. We could all sit around our offices and think of a good new authorizer policy. But we can never really understand its impact on schools without actually listening to them.

So at the DC Public Charter School Board we actually follow, voluntarily, a regulatory framework. That is, we put out all of our oversight policies in draft form as proposals for public comment. We hold a public hearing. And we try hard to adjust our policies to any comments received.

And we go a step further. Before even drafting the policies we convene the schools in task forces. For example, we have four separate task forces for the PMF. One for high schools, one for elementary schools, etc. We have a task force that advises us on our fiscal oversight. I think we have nearly a dozen task forces.

These task forces don't just comment on our policies – they help us shape them. They are part of the generative thinking. The participation in the task forces provide a level of buy-in and legitimacy to our actions that are really powerful. They take us out of an "us vs them" thing.

And we have found what regulators in every field around the world have found. That the highest quality organizations that you regulate can be your best allies. Great charter schools hate that there are terrible schools and bad actors ruining the reputation of all of them, and hoodwinking unsophisticated parents into sending their children to receive a low-quality education. They hate it as much as you do. And if you work with them collaboratively, they will support your strong oversight.

Of course working collaboratively, means engaging in give and take, and being willing to give as well as take. But what I've learned is that often what's important to one side is different than the other, and you can find win-win solutions that preserve your core equities around school quality.

I remember negotiating with the schools over our site visits to observe classrooms. At first the schools said "Don't visit our classrooms. You should be measuring us on results. Why do you care what happens in our classrooms?" And we responded, "Do you really want us making decisions about your school based solely on numbers on a computer screen?"

Of course, nobody liked that idea. But then they raised another objection – "Your team's observations will be completely subjective." And we said, "We don't want them to be, how can we agree to a standard?"

And the schools said, "But the point of charter schools is their diversity – if you come up with a standard you will be shoehorning us all into a specific style of school." So we gave the task force members some homework – go look for observation standards they liked.

A surprising number of schools came to the next task force meeting with the same evaluation tool– the Charlotte Danielson Framework for Teacher Evaluation. Amazingly, virtually all of the schools supported this.

But they insisted that all of our staff who observed them be formally trained and certified by the Charlotte Danielson institute, so that they weren't being evaluated by

amateurs. So we put the whole thing out for public comment, made some tweaks based on the comments received, and now this is our policy.

My point is, if we had just announced that we'd be doing site observations based on Charlotte Danielson the schools would be up in arms, accusing us of regulatory overreach. By working together with them, we have an oversight process that has a tremendous amount of legitimacy with our schools.

And I would say, in doing a lot of listening to our schools, here's the one thing I hear again and again. They want predictability; they don't want surprises. And of all of the benefits that our task forces and our public comment periods provide, one of the biggest for the schools is predictability. They see stuff coming a long way out, and they can prepare for it.

I want to close by talking about a role for authorizers that I think is vital, but that most do not. And that is as an advocate: an advocate for quality charter schools as a way to improve public schools and for policies that reduce burden and oversight on schools.

It's not a role that many authorizers are comfortable with, particularly if you're part of a state, or county, or district agency. And of course, depending on your position, you may not be able to be a public advocate. But you can always be an internal advocate. The charter model has such extraordinary promise. It has many foes, and, to my mind, not enough supporters. You can be a supporter – but not a blind supporter despite the facts. You can support strong, high quality charter schools. You can support smart policies that preserve and respect charter school autonomies but hold them to high standards. You can support charter school oversight that focuses on results rather than the day to day activities of the school. You can support your district embracing more of a choice model. You can support your best school leaders by shouting them out, recommending them for grants, promoting them within your school district. You can support creative ways of applying federal mandates to the charter model. You can support more equal funding and access to facilities.

Nobody is a more credible advocate for quality charter schools than a rigorous and high quality authorizer. Nobody can make the argument for school autonomy better than an authorizer who respects this autonomy while maintaining rigorous standards. And by being an advocate, you build trust with the schools you oversee – you buy yourself the space to be tough on the things that really matter.

As authorizers we need to chart a middle course – to find the Goldilocks version of authorizing that provides the right level of oversight, and does it in the right way. And by Goldilocks, I mean more than "not too hot and not too cold". It means being incredibly strong on quality issues, but being incredibly gentle in how you work with school leaders. It means that we have to find new ways to work, and new tools to use, that are appropriate for the unique kind of school we are overseeing.

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